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1/20/98

Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

NOTE CHANGE OF DAY AND DATE

Tuesday, January 20, 1998, at 5:30 P.M.
The War Memorial Building
401 Van Ness Avenue, Room 410

AGENDA

DOCUMENTS DEPT.

1. **CALL TO ORDER AND ROLL CALL**

JAN 15 1998

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E. David Ellington, President
Jan Masaoka, Vice President
Commissioner Bonnie Engel
Commissioner Ernest Jackson
Commissioner John Lira

2. **APPROVAL OF THE MINUTES**

Adoption of the Minutes of the December 6, Special Meeting, and December 15, 1997, Regular Meeting of the Telecommunications Commission.

-Public Testimony.

3. **COMMUNICATIONS**

4. **COMMISSIONERS' AND DIRECTORS' REPORTS**

A. Staffing Update: Director, Deputy Director positions for Planning, Policy and Compliance; Maintenance and Service; Network Services; Applications Development; Secretary to the Commission. Commissioner Ernest Jackson and Jane Rubin, Deputy Director of Administration.

-Public Testimony.

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4. **COMMISSIONERS' AND DIRECTORS' REPORTS** - continued

B. PEG Update

Commissioner Bonnie Engel and Edward Harrington, Acting Director, DTIS, and City Controller.

-Public Testimony.

5. **OLD BUSINESS**

A. For Commission Action: Request to Board of Supervisors for postponement of due date for Telecommunications Plan to December 1998

B. Telecommunications Plan Discussion: Vision and principles to guide City telecommunications policies.

-Public Testimony

6. **NEW BUSINESS**

A. Discussion: Siting of Wireless facilities in San Francisco

- 1) Current policies and facilities (Planning)
- 2) Federal law and Federal Communications Commission actions (City Attorney)
- 3) Recent research on health effects of Radio Frequency (RF) radiation (Health).

-Public Testimony

7. **CALENDAR MATTERS**

A. Schedule special meeting prior to regular February Commission meeting for Telecommunications Plan business: MCG presentation providing technical overview of current telecommunications services, providers and networks.

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

DISABILITY ACCESS

Room 410 is wheelchair accessible. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #5 Fulton, #21 Hayes, #42 Downtown Loop, #47 Van Ness, #49 City College lines and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142. There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. Assistive listening devices are available for use and the following services are available upon request 48 hours in advance of this meeting. For American Sign Language interpreters, use of a reader during a meeting or a large-print copy of an agenda, contact Tripta Gupta at (415) 554-0802.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.



MEMORANDUM

TO: Telecommunications Commission

FROM: Ed Harrington *Ed Harrington*

DATE: January 14, 1998

SUBJECT: Agenda Item 5. B.
Telecommunications Plan - Visions and Principles

Attached you will find:

1. Goals, objectives, needs as they were identified at the Treasure Island Meeting
2. Those statements as we have reformatted them into draft Vision/Principle statements.

The schedule is to discuss these in January and February and, should the Commission decide, adopt them in March.

TELECOMMUNICATIONS MASTER PLAN

NEEDS IDENTIFIED AT DECEMBER 6, 1997 MEETING TREASURE ISLAND

Following is a list of the needs identified by members of the Telecommunications Commission, the City's staff and the public at the Commission's meeting held December 6, 1997. The needs are set forth in the manner and in the order they were recorded. It was agreed that the order does not necessarily reflect the degree of importance of a need.

For purposes of the discussion, it was agreed that a need would be identified as an "internal" or City Government Need if the City of San Francisco was a party to the exchange of information.

City Government Needs

- Department Head Interviews (Telecommunications Liaison)
- Base Network
 - Voice
 - Video
 - Data
- Centralized vs. Decentralized Networks
- Owned vs. Leased Networks
- Dedicated Funding
- Compensation Opportunities
- Need Trained Work Force
- Need Technology to be Usable by Public
- More Efficient City Work

- Use Technology to:
 - Deliver New Services
 - Deliver in New Ways
- Network Must Support Mission Critical Systems
- Network Must be Scalable
- Network Must be Based on Standards
- Network Must be Secure
- Network Must be Redundant and Survivable
- Systems Should Enhance Public Access
 - Systems Should be Interactive
 - Systems Should Enhance Democratic Process
 - Technology Should Supplement (but not replace) Human Interaction
 - Networks Should be Available in Physical Sense to Citizens
- Staffing Issues
- Infrastructure Management

Community Needs

- Widest Possible Access
- Establish Health and Safety Principles
- Enhance Economic Vitality
- Voice at the Federal and State Level
- Expandable telecommunications Infrastructure
- Scalable telecommunications Infrastructure
- Technology That Supports:
 - Disabilities
 - Diverse Cultures
 - Many Languages
 - Neighborhood Needs
- Provide Support for Business Vitality
 - Regulatory Policies
 - Appropriate Network Development
- Support for a Multimedia Entrepreneurial Business Community
- Community Needs to be Served by Multiple, Competitive Providers
- Support for Local Employment and Jobs in Telecommunications Development
- Technology Supporting Ecology and Quality of Life

**City and County of San Francisco
Telecommunications Commission
Telecommunications Plan
Visions and Principles
Draft
January, 1998**

Community Principles

The City's telecommunications policies should:

Maximize access to advanced telecommunications services by all sectors of the community.

Preserve and enhance the health, safety and quality of life of residents and the aesthetic qualities that make San Francisco and its neighborhoods desirable places to live and work.

Support the development of state-of-the-art technology that can expand and grow to meet future needs.

Encourage competition to further the availability of high quality, low cost telecommunications services to all sectors of the community.

Provide leadership on telecommunications issues at the state and federal levels.

Promote technology that supports people with disabilities and diverse cultures and languages.

Enhance economic vitality by preserving and promoting employment opportunities, assisting current businesses, and supporting the development of new industries, such as multimedia.

City Government Principles

Provide an appropriate, cost effective level of voice, video and data services between City government and City residents and within City government.

Use telecommunications to enhance the availability and method of delivering City services, not to replace human interaction.

Promote telecommunications as a means to improve the job satisfaction, creativity and productivity of a well-trained City staff.

Encourage the use of telecommunications to promote the democratic process.

Allow the City, where appropriate, to earn revenue from the use of City assets such as streets or databases.

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TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

MINUTES

TUESDAY, JANUARY 20, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 404

DOCUMENTS DEPT.

REGULAR MEETING
5:30 P.M.

FEB 13 1998
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COMMISSIONERS

E. David Ellington, President
Jan Masaoka, Vice President
Bonnie Engel
Ernest Jackson
John Lira

Edward Harrington
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

Tripta Gupta
Acting Commission Secretary

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President Ellington at 5:40 P.M.

Present: E. David Ellington
 Bonnie Engel
 Ernest Jackson
 John Lira
 Jan Masaoka

2. Approval of the Minutes

President Ellington asked the Commissioners if they had any comments on the minutes for the meetings of December 6 or December 15. There were none. President Ellington asked if there was any public testimony regarding the minutes. There was none.

President Ellington made a motion to adopt the minutes of the December 6, 1997, special meeting. Commissioner Engel seconded the motion. The minutes were adopted unanimously.

President Ellington made a motion to adopt the minutes of the December 15, 1997, regular meeting. Commissioner Jackson seconded the motion. Vice President Jan Masaoka abstained from voting, since she was not present at that meeting. The minutes were adopted with one abstention.

3. Communications

None

4. Commissioners' And Directors' Reports

A. Staffing Update: Director; Deputy Director positions for Planning, Policy and Compliance; Maintenance and Service; Network Services; Applications Development. Commissioner Ernest Jackson and Jane Rubin, Deputy Director of Administration.

Edward Harrington, Acting Director of the Department of Telecommunications and Information Services, reported that this morning the Mayor announced a full complement of management staff for the department. Mr. Harrington reported that Jessica Josephson will be the Department

Director; Denise Brady will be the Deputy Director for Policy, Planning and Compliance; Edmundo Colchado will be the Deputy Director for Network Services; and Rod Loucks will be the Deputy Director for Applications Development; the other continuing managers are Fred Weiner, Deputy Director for Maintenance and Service; Kuni Takeshita, Deputy Director for Technical Services; and Jane Rubin, Deputy Director for Finance and Administration.

President Ellington welcomed the DTIS management team on behalf of the Commission.

Mr. Harrington introduced Priscilla Watts, who will be joining the department as the Executive Producer for the Government Channel.

Mr. Harrington stated that the new Deputy Directors will be starting February 2nd, and the Director is expected to start mid-February. Commissioner Engel asked that the Commission be provided with the names, titles and phone numbers of the managers.

President Ellington asked if there were public comments at this time relating to staffing updates. There were none.

Vice President Masaoka thanked Mr. Harrington and commented that it is not an easy job to be an "interim" or "acting". She said that he has done a great job and that he will be missed. The Commission unanimously agreed with Vice President Masaoka's sentiments and thanked Mr. Harrington.

B. PEG Update

**Commissioner Bonnie Engel and Edward Harrington, Acting Director,
DTIS, and City Controller**

Commissioner Engel reported that over the holidays there was no opportunity to get the Advisory Board together. She hoped that there will be a meeting of the new Advisory Board of the PEG channels before the next Telecommunications Commission meeting.

Mr. Harrington reported that he did not meet with the entire Advisory Board, but he did meet with the providers of public access and TCI, and it was agreed that it would be best to bring a package to the Board of Supervisors that included the public access facility as a part of the package. Staff is working with Zane Blaney and others on where that facility will be and to provide general parameters of what it might cost. Staff is hoping to meet in February with the Advisory Board and all PEG providers and bring a proposal to the Board.

Mr. Harrington said that the Sue Disciple Group will look over the lists of equipment that were proposed by the PEG providers to get an outside opinion. This will not cost additional money, because it is part of the original contract.

President Ellington asked the Commissioners if they had any comments or questions. There were none.

President Ellington asked if there were public comments regarding the PEG update.

Public Testimony

Michael Couzens, San Francisco CTC, said that he hoped that the contract for management of the Public Access Channel was not going to be necessarily facilities-dependent. His concern was that if a desirable facility was found, and there was no management contract, it may not be possible to finalize the deal with the landlord in time to go forward with the project.

5. OLD BUSINESS

A. For Commission Action: Request to Board of Supervisors for postponement of due date for Telecommunications Plan to December 1998

President Ellington informed those present that copies of the resolution prepared by the City Attorney's office were available.

President Ellington asked the Commissioners if they had comments on the resolution. There were no comments.

President Ellington invited public comments on the resolution.

Public Testimony

Nancy Owens, a member of the Board of the Breast Cancer Fund, said that breast cancer is a multifactorial disease. One of the probable causes is electro magnetic radiation. It is believed that exposure to EMF/radio frequency radiation can cause breast and other types of cancer. She commended the Commission for taking great care in putting this Plan in place. She asked the Commission to keep in mind that even if the EMF contributes only to a small percentage of breast cancer, it is still a lot of lives. She asked the Commission to involve the public, scientists, and people with cancer in preparing the Plan.

John Bardis asked that interim controls be placed so that nothing goes forward. He asked that all further applications for construction of cellular antennas be stopped immediately until the Telecommunications Master Plan is in place. He said the neighborhoods feel unprotected.

Christopher Beaver, Noe Valley Families, submitted testimonies from Australia and Dr. Neil Cherry of New Zealand, about the health hazards from antennas.

Giselle Quezada of Communications Workers of America said that until the City comes to a conclusion or a resolution, no antennas should go up. Currently, there are no restrictions, and the public has no say.

Libby Kelly, Ad Hoc Association of Parties Concerned About the Federal Communications Commission Health & Safety Rules, recommended not to install any more cellular antennas until the health dangers involved in placing more antennas are identified.

President Ellington made a motion to approve the resolution. Commissioner Engel seconded the motion. The resolution was unanimously adopted.

5.B. Telecommunications Plan Discussion: Vision and principles to guide City telecommunications policies.

David Rozzelle of Media Communications Group explained that the principles were developed in the Special Meeting of the Commission on December 6, based on the input from the Commission and the public. MCG took those principles verbatim and put them into a statement of principles that will guide the City and the Commission in the adoption of a master plan. He said that the purpose of these principles is to develop a constitution upon which to flesh out and support the specific studies that will follow.

President Ellington asked that the second item "Preserve and enhance the health,....." on the Community Principles list be made item one. He said that he was making this suggestion as a reaction to the public testimony about the health issues. Vice President Masaoka said that she would not like the list of principles to be rank ordered, since all the principles listed are important. Following discussion, the Commission agreed not to switch the order of items.

Vice President Masaoka suggested that "efficiency of City Government" be added to the City Government Principles.

Commissioner Engel commented that the tone of this presentation was very studied and careful. It is missing the City being the high-tech leader, which was discussed in the meeting on December 6. She did not see much excitement about new technology in the document. This document should be a guideline to how telecommunications will develop and what will be the final vision.

Vice President Masaoka commented that she saw only the "principles" and not "vision" in the document.

It was suggested that these principles be adopted as the working document and continue to be refined throughout the process of the development of the Telecommunications Plan.

Mr. Rozzelle stated that in the upcoming Special Meeting, MCG would make a presentation on technologies, both existing and advanced and paint a picture of what is possible. The sizzle and excitement will come with the presentation.

President Ellington asked if the Commissioners and staff had comments.

President Ellington invited public comments.

Public Testimony

Sybil Boutilier said that there was one item missing from this list of principles, which is to promote and encourage collaboration among business, government and community to develop

the telecommunications infrastructure and relevant community applications and usage. Collaboration among these various players is the key to the success.

Patricia Vaughay said that she agrees to the extension of the Plan. She said that a long-range vision, however, is needed for the plan -what is best for the community, tourists, and economic vitality.

Libby Kelly said that technology seems to be driving the principles and vision statement, and there is no regard for the safety of people. A principle should be added to monitor operations for compliance.

John Bardis said that the City Government Principles did not provide for monitoring program and review in terms of installations. He asked for optimum siting of facilities for the City instead of duplications.

President Ellington thanked the public for their comments.

6. NEW BUSINESS:

- A. Discussion: Siting of Wireless facilities in San Francisco**
 - 1) Current policies and facilities (Planning)**
 - 2) Federal law and Federal Communications Commission actions (City Attorney)**
 - 3) Recent research on health effects of Radio Frequency (RF) radiation (Health)**

President Ellington reminded those present that this item is a part of the schedule prepared by staff and distributed at the December 15, 1997, meeting. This schedule deals with the process of development and submission of the Telecommunications Plan to the Board of Supervisors.

Amit Ghosh, Chief of Comprehensive Planning, Planning Department, stated that beginning in 1996, there was a marked increase in applications for siting of wireless communications facilities. In order to deal with this increase, the Planning Commission adopted siting guidelines in May of 1996. By State law and by the City Charter, the Planning Commission has the jurisdiction over the use of land. Only the Board of Supervisors has the authority to disagree with the Planning Commission's recommendations. The Planning Commission has sole jurisdiction of all location, siting, appearance, intensity, density, etc. and use of land. It has a set of rules (Planning Code) which is used to implement the compendium of policies that constitute the City's General Plan. The General Plan addresses various systems of our urban areas. These policies form the basis for the Planning Commission's decision on siting and location of anything that deals with the use of land. The Planning Commission adopted its guidelines to give more clarity to its existing Planning Code. The Commission adopted a set of guidelines to provide more direction in approving conditional uses. At that time, the Board of Supervisors requested that the Planning Commission adopt a set of revised guidelines in the form of moratoriums or an interim set of controls. In response to this request, in August of 1996, the Planning Commission established the guidelines that are in effect today. These guidelines

established groupings such as disfavored sites, limited sites and favored sites. The Planning Commission also required in its guidelines that there be certain visual performance criteria that be maintained - the height not to exceed certain amount - to ensure that impact of use of land was minimized. The Planning Commission also required applicants to submit a 5-year plan for siting that would guide the Commission's actions.

A total of 70 applications had been handled by the Planning Commission by the end of August 1996. Since the adoption of the guidelines, the majority of the locations are in the preferred sites, and less than 5% has been in residential districts.

All the provisions of interim controls will remain in effect by policy of the Planning Commission because it has adopted guidelines that will influence its decision in all conditional uses and all zoning determinations of permits. The Planning Commission guidelines will remain in effect until such time as they are incorporated into the General Plan as part of the compendium of policies that regulate development. The Planning Commission has been asked to make the interim controls more formal by incorporating them into the General Plan and developing permanent controls as part of the Planning Code. The General Plan is the same as the Master Plan; it was just renamed in the Charter.

Mr. Ghosh stated that the Planning Commission urges appropriate City agencies such as the Department of Public Health, and the Telecommunications Commission to continue to review scientific literature and research findings and to report to the Planning Commission on an annual basis any significant developments that could require the Planning Commission and the City to revisit and/or amend these policies and guidelines.

President Ellington acknowledged that when the Telecommunications Commission sends its recommendations to the Board of Supervisors, it will also send the recommendations to the Planning Commission.

In response to Commissioner Engel's inquiry as to when these interim controls will become a part of the General Plan, Mr. Ghosh stated that on July 1, 1998, staff plan to bring to the Planning Commission its recommendations to incorporate the policies into the General Plan. At that time, the Planning Commission will again ask the Telecommunications Commission for its participation and input.

Commissioner Lira asked why schools are included in the preferred sitings. Most of the concerns and inquiries received by him have been about schools.

Mr. Ghosh responded that the zoning code includes schools within the general zoning category of publicly used buildings. If there were public testimony or requests, the Planning Commission could consider excluding schools from this zoning category.

President Ellington asked what the Planning Commission wants from the Telecommunications Commission. Mr. Ghosh stated that the Planning Commission would like information on any significant development that might require the Planning Commission to amend or revisit its rules about siting and locations, just as it is asking the Department of Public Health about health

interests and the Department of Public Works about structural concerns.

President Ellington said that the Telecommunications Commission has plans to submit its recommendations to the Mayor, the Board of Supervisors and the Planning Commission in April.

Commissioner Engel asked Mr. Ghosh if he would like to respond to the public testimony about interim controls and the current situation of a "free-for-all".

Mr. Ghosh responded that he believes that the guidelines have provided the Planning Commission a reasonable basis for making the decisions for siting and have also provided a reasonable basis to the Planning Commission to deny applications. Due to these guidelines, the Planning Commission now has 5-year plans from the providers, and the activity has subsided. Since last September, 5 applications have been approved, and there were none in the last two months.

Commissioner Jackson asked if any published information is available to the public, and if the Planning Commission has thought of putting the information on the Web.

Mr. Ghosh responded that the August 15, 1996, guidelines for siting communications facilities are available at the information center of the Planning Commission and at the Public Library. A map on co-location sites and the list of applications approved are also available at the information center of the Planning Commission. The Planning Commission is in the process of setting up a web page, and, within the next four months, there should be a web page with information on all aspects of the Commission.

Deputy City Attorney Julia Friedlander made a presentation about the federal law that governs the City's decisions on wireless siting issues, as well as about proposed regulations that would affect the City's decisions if they are adopted by the Federal Communications Commission (FCC).

The Telecommunications Act of 1996 imposed 3 principal limitations on the City's zoning decisions regarding wireless siting. First, the City's zoning decisions cannot prohibit the provision of wireless services. Second, the City's zoning decisions cannot unreasonably discriminate between providers of functionally equivalent services, and third, the City cannot make zoning decisions based on the health effects of radiofrequency (RF) radiation, to the extent that facilities comply with the FCC's standards governing RF radiation.

Ms. Friedlander reported that the FCC issued its RF radiation guidelines in August, 1996. In addition, she reported that the wireless industry has asked the FCC to adopt two rules that would further limit the City's actions on wireless siting. The first proposed rule, requested by the Cellular Telecommunications Industry Association, would limit the City's ability to adopt a moratorium on siting of wireless facilities. If adopted, this proposed rule could affect the moratorium on siting facilities in certain residential districts that the Planning Commission adopted in 1996. This moratorium is still in effect. The second proposed rule, requested by the Personal Communications Industry Association, would limit state and local efforts to monitor the compliance of wireless facilities with the FCC's RF radiation standards. If adopted, this rule

could affect the current program of the City's Public Health Department to monitor the installation of wireless facilities for compliance with the FCC's RF radiation standards.

The third presentation was made by Dr. Mitchell Katz, Interim Director of Public Health. Dr. Katz stated that Radio Frequency Radiation is a non-ionizing radiation, and it is known to have adverse health impact only at thermal levels. The safety levels are set by looking at the lowest level that is known to cause human effects and divide this by 50. That essentially forms the standard. That standard has been approved by the American National Standard Institute as well as the FCC. The health department does not set that standard.

Dr. Katz stated that their job is to ensure that those facilities that are operating in the county are operating within that standard.

The Health department has looked very carefully at the large body of research, including epidemiology studies. The Health department's opinion is that the body of evidence taken all together indicates that there no adverse health risks associated with radiation frequency radiation at or below the standard set.

There have been studies that indicated some risks at the standard set. But, when these studies are replicated, the results have not been reproduced.

Dr. Katz said research is complicated. It is hard to give a definitive opinion because people are exposed to various elements in their life time, and it is difficult to isolate one sole reason for adverse health effects, such as cancer. It is also harder to prove no effect than to prove there is an effect.

Dr. Katz stated that if you look at the research as a whole, you come away feeling and believing that there is no demonstrated adverse effect as long as you are below the levels that have been set as standard.

Dr. Katz said that the concerns people have are very real, and they need to be addressed, and there needs to be continued research. He wished he could guarantee everyone that there are no adverse health effects, that in 20 to 30 years there will be no such effects. However, neither he or anyone else can give this guarantee. The scientific community has looked, and it is an informed opinion that there are no adverse effects at the levels that standards are set.

Commissioner Lira inquired if the study done by Dr. Cherry of New Zealand is correct. Dr. Katz replied that one cannot rely on one study. Any one study may be true, but one cannot throw out 90% of the studies that say otherwise.

Public Testimony

Patricia Vaughey expressed concern about the environmental effects and the cumulative effects of all other EMFs and radio frequencies that are not being taken into account. She added that FCC is also concerned about the cumulative effects.

Chris Beaver of the Noe Valley Families Against Antennas questioned the safety thresholds at thermal level. He stated that scientists have talked about chronic exposures to low-levels of electromagnetic radiation. He quoted Dr. Neil Cherry of New Zealand, who is willing to present his findings to the people in the USA. He submitted for public record the proposed San Francisco Health and Safety Guidelines as regards to siting and locations and radiation, etc.

President Ellington commented that the jurisdiction of the Telecommunications Commission covers the area of technology, just as the Department of Public Health deals with health concerns, and the Planning Commission deals with the regulations of licensing of siting and use of land. The Telecommunications Commission is an advisory body and can make recommendations to the Board of Supervisors and to the Planning Commission.

Libby Kelly stated that there are concerns from people nationwide about the health and safety issues. Groups have filed an appeal with the Federal Court of Appeals about the FCC regulations. She stated that many agencies have recommended lower levels than the current set standard.

7. Calendar Matters

- A. Schedule special meeting prior to regular February Commission meeting for Telecommunications Plan business: MCG presentation providing technical overview of current telecommunications services, providers and networks.**

The Commission tentatively agreed to hold the Special Meeting on Friday, February 6, 1998, 4:00 P.M., pending confirmation with the consultants, MCG.

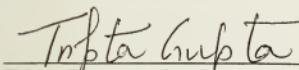
8. Public Comment

None

9. Adjournment

The meeting was adjourned at 8:20 P.M.

Respectfully submitted,



Tripta Gupta, Acting Secretary

Telecommunications Commission
City and County of San Francisco

Resolution Number 98-1

URGING THE BOARD OF SUPERVISORS TO AMEND SUBSECTION (F) OF SECTION 11.54 OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO EXTEND TIME FOR THE COMMISSION TO SUBMIT THE TELECOMMUNICATIONS PLAN TO THE MAYOR AND BOARD OF SUPERVISORS TO DECEMBER 31, 1998.

WHEREAS, Section 11.54 of the San Francisco Administrative Code requires the Telecommunications Commission to develop a Telecommunications Plan to guide the implementation of telecommunications facilities within the City by proposing policies that maximize the availability of telecommunications services to City residents, businesses, and departments; preserve City property and resources; and protect the health safety and welfare of City residents; and

WHEREAS, the Telecommunications Commission held its first meeting on March 31, 1997 and began work on the City's Telecommunications Plan in May, 1997; and

WHEREAS, after a competitive selection process, the Commission selected Media Connections Group (MCG) at its October, 1997 meeting to assist with preparation of the Telecommunications Plan; and

WHEREAS, Section 11.54 of the Administrative Code requires the Commission to maximize public participation in developing the Telecommunications Plan and requires the Commission to submit the Plan to the Mayor and Board of Supervisors for adoption as the City's Telecommunications Plan by January, 1998; and

WHEREAS, the Commission has prepared a schedule for development of the Telecommunications Plan through a process that maximizes public participation which calls for completion of the Commission's work by the end of 1998; now, therefore be it

RESOLVED that the Commission urges the Board of Supervisors to amend Subsection (f) of Section 11.54 of the San Francisco Administrative Code to extend time for the Commission to submit the Telecommunications Plan to the Mayor and Board of Supervisors to December 31, 1998.

Cellular Phone Antennas: Proposed San Francisco Health and Safety Guidelines

Submitted by: Christopher Beaver, **NOE VALLEY FAMILIES,**
394 Elizabeth Street, San Francisco 94114
Tel: 824-5822

Adopted from a resolution passed unanimously
by the Local Councils of New South Wales, Australia
November 25, 1997.

Resolved: that the City and County of San Francisco adopt a wireless zoning plan that would:

- (a) limit the location of cellular phone antennas (and other commercial electromagnetic emitting facilities) to no less than 500 meters from residences, schools, child care centers, hospitals and nursing homes;
- (b) require cellular phone antennas (and other electromagnetic emitting facilities) to emissions of no more than .001 microwatts per square centimeter;
- (c) adopt a policy of non-redundancy of cellular phone antennas;
- (c) require the owners of cellular phone antennas to monitor emissions in accordance with this level and report to the appropriate Public Health Department at least yearly on levels achieved;
- (d) require that the City and County of San Francisco establish a Task Force to enter into negotiations with cellular phone companies to establish programs of progressive relocation on a priority basis of those cellular phone antennas that are already located within 500 meters of residences, schools, childcare centres, hospitals and nursing homes; and that the negotiations ensure that these facilities would be monitored annually for electromagnetic radiation and the results be reported to the Health Department.

Health Hazards from Cellular Phone Antennas

Children, senior citizens, and those with compromised immune systems are the most vulnerable to exposures from cellular phone antennas.

Unlike television sets and microwave ovens, cellular antennas produce chronic exposures — twenty-four hours a day — to low levels of electromagnetic radiation. It is the constant and continuous quality of the exposure that makes them dangerous. This is especially true for infants and children, whose cells and DNA replicate at an especially high rate during early childhood development and, hence, are the most vulnerable to damage from chronic exposure even at relatively low levels.

Among the health effects reported along the entire spectrum of electromagnetic radiation are, breast cancer, childhood leukemia, malignant melanoma of the skin, nervous system disorders, cancer of the lymph system, learning disorders, and other neurological disorders including brain tumors. To focus solely on the potential cancer risks from cellular phone antennas we cite the following:

1. Source: Neil Cherry, Lincoln University, New Zealand, "Potential and Actual Adverse Effects of Radiofrequency and Microwave Radiation at levels near and below $2\mu\text{W}/\text{cm}^2$," February 1997: ...according to international criteria, radio-frequency /microwave radiation is a highly probable carcinogen...this should require the placement of telecommunication transmission sites (radio, TV, cell sites) some considerable distance from residences, schools, kindergartens, hospitals, etc.
2. Source: The EMF Book by Mark Pinsky, 1995: Researchers have found that cancerous cells grow and reproduce more rapidly when they are exposed to EM fields or EM radiation than when they are not exposed.
3. Source: A. Maes, M. Collier et al. "954Mhz microwaves enhance the mutagenic properties of mitomycin-C." Environmental Molecular Mutagen 28: 26-30, 1996. This study found that exposure to electromagnetic radiation in the range of cellular antenna transmissions increased the cancer-promoting properties of a known cancer-causing chemical, mitomycin-C.
4. Source: Sianette Kwee, "Changes in Cell Proliferation Due to Environmental Non-Ionizing Radiation," Bioelectrochem. Bioenerg., 1998: Contrary to previous assumptions, our results showed that there can be an effect [from microwave exposures] at very low Specific Absorption Rate values."
5. Source: Dr. Gregory W. Lotz, chief, Physical Agents Branch, National Institute of Occupational Safety and Health, Cincinnati, Ohio, September, 1997: To err on the side of caution, wherever children gather, put the antennas someplace else.

DR. NEIL CHERRY, NEW ZEALAND:
PERSONAL E-MAIL TO CHRISTOPHER BEAVER
ABOUT HAZARDS FROM CELLULAR PHONE ANTENNAS

October 31, 1997

From: "Cherry, Neil J" <cherry@kea.lincoln.ac.nz>
Organization: Lincoln University, New Zealand

Dear Christopher Beaver:

Health hazards close to antennas include potential sleep disruption, memory loss, learning difficulties, chronic fatigue syndrome, immune system impairment and cancer. Some are more susceptible than others. Risk is proportional to exposure. [Existing] Standards are a farce because they totally ignore the possibility shown by epidemiological studies of adverse health effects from chronic exposure to low level RF/MW [radiofrequency / microwave] radiation.

When people make the claim that thousands of studies have found no low level effects, they are correct, because thousands of studies have been funded by the military to determine the thermal effects of high exposure to attempt to define the thermal limit which would produce no appreciable heating. Very few have been carried out on chronic exposure of large populations.

However, many of these studies do show increases in adverse health effects. We now have the complete trail from biophysics of absorption, biochemistry of cellular changes, animal experiments and public health studies, forming a compelling set to establish that RF/MW is carcinogenic, especially with melatonin reduction, enhancing free radical lifetimes, enhancing DNA damage, accelerating cell death, propagating potentially tumorogenic cells, and creating reproductive and miscarriage risks.

I would be happy to stand strongly behind my analysis and reviews and to present them to your authorities for the cost of expenses only, including airfares and accommodation.

Warm regards,
Neil Cherry



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pecial

Department of Telecommunications and Information Services
City and County of San Francisco

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

AND NOTICE OF SPECIAL MEETING
FRIDAY, FEBRUARY 6, 1998, 4:00 P.M.
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE, ROOM 207

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Please note change of room for this meeting only.

Please be advised that this is a Special Meeting of the Telecommunications Commission, and there will be no action taken on any item listed on this Agenda.

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Jan Masaoka, Vice President
Commissioner Bonnie Engel
Commissioner Ernest Jackson
Commissioner John Lira

2. Telecommunications Plan: Technical overview of current telecommunications services, providers and networks
(Presentation by DTIS consultants, Media Connections Group)

3. PUBLIC COMMENT

4. ADJOURNMENT

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

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***MC*CG**

San Francisco Study Session Outline

Summary Outline

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I. Introduction: Remarks to introduce day's project
David Rozzelle
Estimated time: 5 minutes

II. Services, Providers and Networks (technical background)
Discussion Led By: David Large
Estimated time: 30 minutes

III. Market Review (supply element of market)
Discussion Led By: Ted Liebst
Estimated time: 30 minutes

Attached is the Agenda for the technical and economic overview presentation by the consultants, Media Connections Group, for the Special Meeting of the Telecommunications Commission on Friday, February 6, 1998, 4:00 P.M.

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DISABILITY ACCESS

***MC*CG**

San Francisco Study Session Outline

Summary Outline

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III. Market Review (supply element of market)
Discussion Led By: Ted Liebst
Estimated time: 30 minutes

BREAK: 15 MINUTES

IV. Proposed External Needs Assessment and Education Plan (demand element of market)
Discussion Led By: James Shaw
Estimated time: 30 minutes

V. City Options and Potential Roles (influencing or participating in market)
Discussion Led By: David Rozzelle and Ted Liebst
Estimated time: 20 minutes

MCG

I. Introduction

II. Services, Providers and Networks - A review of the principal telecommunications service categories, the current and potential providers of those services and a comparison of the strengths and weaknesses of the physical networks offered by each supplier.
(Discussion led by David Large)

A. Wired Telephony Services

1. A review of the dominant provider's (Pac Bell) architecture
2. The changing regulatory picture and identity of potential competitors
3. The facilities-based competitor's networks

B. Wireless Telephony Services

1. A review of the current state of cellular service
2. The emergence of PCS as an alternative
3. The unique architectural requirements of PCS
4. Possible PCS/CATV hybrid networks

C. Video Entertainment Services

1. A review of the state of franchised cable television operations
2. DBS: a satellite-based competitor
3. MMDS: a local wireless competitor
4. The state of telco competition in video market

MCG

II. Services, Providers and Networks - continued

5. The effect of emerging digital over-air broadcasting and the importance of multi- industry standards

D. Data Communications and Internet Access Services

1. A review of the categories of data communications: personal to corporate
2. Current and emerging telco provision of data services
3. Competitive Access Providers and Competitive Local Exchange Carriers (CAPs and CLEC's): their networks and services
4. Cable Modems: high speed internet access and telecommuting for individuals
5. The nature and limitations of competition from satellite and/or MMDS providers

MCG

III. **Market Review.** Who are market participants? What services and platforms do they offer? What are the trends of market with regard to providers, services and telecommunications platforms?
(Discussion led by Ted Liebst)

- A. Existing and emerging providers, their core areas, services or applications
- B. New service directions, market crossover, and potential competition and its timing and recent readjustments
- C. Market share of core services today and projected implications for new entrants to the service markets

MCG

IV. **Proposed External Needs Assessment and Education Plan.** How do we test the opinions, understanding, needs and demands of the community? (Discussion led by James Shaw)

A. The Macroeconomic Significance of Telecommunications for San Francisco

1. Demographic Determinants of Telecommunications Usage
2. Productivity and Telecommunications Infrastructure
3. Consumer Spending, Employment and Business Development
4. Economics of Customized Information
5. Particle Marketing and Telecommunications Usage
6. Economics of Externalities
7. Business-Government Relations in the New Era

B. The Microeconomic Significance of Telecommunications for San Francisco

1. Receding Versus Emerging Enterprises Amidst Telecommunications Usage
2. Comparative Advantage and Leveraging
3. New Definitions of Competition and Entrepreneurship
4. Business-Government Synergies

C. External Needs Assessment and Educational Planning

5. Identification of Community Groups and Interests
6. Identification of Community Leaders and Networking Contacts

***MC*CG**

IV. Proposed External Needs Assessment and Education Plan - continued

7. Overview of Methods in Contacting Each Group and Leader
8. Community Meetings/Focus Groups
9. Survey Research: Questionnaires/Telephone/Internet
Solicitations
10. Education: A Two-Dimensional Perspective (Educating Groups
in Telecommunications Applications/Projecting Educational
Requirements in the New Era)
11. Evaluating Citizen Expectations

MCG

V. **City Options and Potential Roles.** Identify and discuss potential City roles including the risks and rewards to a City from investing in a telecommunications infrastructure for its Internal and External purposes. This will be a review of the City's options that will be fully analyzed in the final plan. (Discussion led by David Rozzelle and Ted Liebst)

- A. Encourage competition
- B. Aggressively regulate where permitted
- C. Use bully pulpit (promote City's telecommunications objectives with providers)
- D. Leverage City government's usage as major buyer of telecommunications services with wholesale purchases on behalf of Internal and External users
- E. Network Paradigms
- F. Public/private partnerships, joint ventures, other possible alliances
- G. Examples from Other Cities
- H. Q&A

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6/98

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MINUTES

TUESDAY, FEBRUARY 6, 1998
The War Memorial Building
401 Van Ness Avenue, Room 207
San Francisco

SPECIAL MEETING
4:00 P.M.

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COMMISSIONERS

E. David Ellington, President
Jan Masaoka, Vice President
Bonnie Engel
Ernest Jackson
John Lira

Edward Harrington
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

Tripta Gupta
Acting Commission Secretary

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President Ellington at 4:10 P.M.

Present: E. David Ellington
Jan Masaoka
Bonnie Engel
John Lira

Excused Absence: Ernest Jackson

2. Telecommunications Plan - Technical overview of current telecommunications services, providers and networks (Presentation by DTIS consultants, Media Connections Group)

The meeting began with presentations by the representatives from the DTIS consultants, Media Connections Group. Mr. David Large presented information regarding the current principal telecommunications service categories, the providers of these services, and a comparison of the strengths and weaknesses of the services provided by each supplier. Mr. Ted Liebst talked about the essential infrastructure and what qualifies as essential infrastructure; the supply and demand of the services. Mr. James Shaw presented information on telecommunications convergence (Telephony, Television, and Computer); the Telecommunications tertiary effect; and, in general, the demand element of market. Mr. Shaw mentioned the tools that will be used to measure or assess citizen need for telecommunications services: interviews with key leaders in every sector of the economy; public surveys; business surveys; and focus groups to assess citizen needs and needs of working professionals. Mr. Shaw added that San Francisco consists of fourteen sectors, and ideally, the focus groups will cover these fourteen sectors by blending some of the groups.

President Ellington asked what kinds of questions the consultants were going to ask the focus groups, and how would they work. Mr. Shaw responded that the specifics had not been worked out. He is culling data on the City's economy to formulate questions.

Vice President Masaoka asked if the consultants had developed a clear outline of the research methods they were going to use, and what questions they were going to answer from each one of those. She hoped that in the extremely near future, the consultants would explain what their plan was for doing this. Mr. Shaw responded that the plan for methodology would be ready by the first week of March.

Commissioner Engel asked that someone from the consulting group become familiar with and examine the Telecommunications Act of 1996. Mr. Rozelle responded that he was familiar with the Act and would be responsible for this aspect. In addition, he said that MCG would rely on the City Attorney's office.

President Ellington informed the consultants that the Commission would like a document giving a timetable for their plan. He asked that this document be provided a day or two before the regular meeting of the Telecommunications Commission on February 17 so that it can be distributed to the public. President Ellington does not want to wait until March for this information. He extended the assistance of the Commission and staff to the consulting group with the process.

President Ellington asked for Public Comment on the Telecommunications Plan and the issues discussed so far.

3. Public Comment

Margie Marks of the Communication Workers of America asked for clarification on the goals of the Telecommunications Commission. She wondered if the goal of the Telecommunications Commission was to provide telecommunications, the Internet, cable, access, etc. to everyone in the city.

John Bardis asked if the data to be collected, as mentioned by Mr. Shaw, would have something about the input/output matrix of the San Francisco economy in review of the various groups. He stated that since the Telecommunications Plan would take some time to complete, the neighborhoods need guidance on an interim basis about the proliferation of antennas.

4. Adjournment

The meeting was adjourned at 6:30 P.M.

Respectfully submitted,



Tripta Gupta
Acting Commission Secretary

MCG

San Francisco Study Session Outline

Summary Outline

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David Rozzelle
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Estimated time: 30 minutes
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BREAK: 15 MINUTES

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Discussion Led By: James Shaw
Estimated time: 30 minutes
- V. City Options and Potential Roles (influencing or participating in market)
Discussion Led By: David Rozzelle and Ted Liebst
Estimated time: 20 minutes

MCG

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(Discussion led by David Large)
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 - 1. A review of the dominant provider's (Pac Bell) architecture
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 - 1. A review of the current state of cellular service
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 - 4. Possible PCS/CATV hybrid networks
 - C. **Video Entertainment Services**
 - 1. A review of the state of franchised cable television operations
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MCG

II. Services, Providers and Networks - continued

5. The effect of emerging digital over-air broadcasting and the importance of multi- industry standards

D. Data Communications and Internet Access Services

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(Discussion led by Ted Liebst)

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- C. Market share of core services today and projected implications for new entrants to the service markets

***MC*G**

IV. **Proposed External Needs Assessment and Education Plan.** How do we test the opinions, understanding, needs and demands of the community? (Discussion led by James Shaw)

- A. The Macroeconomic Significance of Telecommunications for San Francisco
 - 1. Demographic Determinants of Telecommunications Usage
 - 2. Productivity and Telecommunications Infrastructure
 - 3. Consumer Spending, Employment and Business Development
 - 4. Economics of Customized Information
 - 5. Particle Marketing and Telecommunications Usage
 - 6. Economics of Externalities
 - 7. Business-Government Relations in the New Era
- B. The Microeconomic Significance of Telecommunications for San Francisco
 - 1. Receding Versus Emerging Enterprises Amidst Telecommunications Usage
 - 2. Comparative Advantage and Leveraging
 - 3. New Definitions of Competition and Entrepreneurship
 - 4. Business-Government Synergies
- C. External Needs Assessment and Educational Planning
 - 5. Identification of Community Groups and Interests
 - 6. Identification of Community Leaders and Networking Contacts

MCG

IV. Proposed External Needs Assessment and Education Plan - continued

7. Overview of Methods in Contacting Each Group and Leader
8. Community Meetings/Focus Groups
9. Survey Research: Questionnaires/Telephone/Internet
Solicitations
10. Education: A Two-Dimensional Perspective (Educating Groups
in Telecommunications Applications/Projecting Educational
Requirements in the New Era)
11. Evaluating Citizen Expectations

***MC*G**

V. **City Options and Potential Roles.** Identify and discuss potential City roles including the risks and rewards to a City from investing in a telecommunications infrastructure for its Internal and External purposes. This will be a review of the City's options that will be fully analyzed in the final plan. (Discussion led by David Rozzelle and Ted Liebst)

- A. Encourage competition
- B. Aggressively regulate where permitted
- C. Use bully pulpit (promote City's telecommunications objectives with providers)
- D. Leverage City government's usage as major buyer of telecommunications services with wholesale purchases on behalf of Internal and External users
- E. Network Paradigms
- F. Public/private partnerships, joint ventures, other possible alliances
- G. Examples from Other Cities
- H. Q&A



Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

NOTE CHANGE OF DAY AND DATE

Tuesday, February 17, 1998, at 5:30 P.M.
The War Memorial Building
401 Van Ness Avenue, Room 410

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AGENDA

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Jan Masaoka, Vice President
Commissioner Bonnie Engel
Commissioner Ernest Jackson
Commissioner John Lira

2. APPROVAL OF THE MINUTES

Adoption of the Minutes of the January 20, 1998, Regular Meeting, and February 6, 1998, Special Meeting of the Telecommunications Commission.

- Public Testimony

3. COMMUNICATIONS

None

4. COMMISSIONERS' AND DIRECTORS' REPORTS

A. Staffing Update:
Commissioner Ernest Jackson; Deputy Director Jane Rubin

- Public Testimony

Telecommunications Commission

February 17, 1998

Page 2

4. **COMMISSIONERS' AND DIRECTORS' REPORTS** - continued

B. PEG Update:

Commissioner Bonnie Engel; Deputy Director Denise Brady

- Public Testimony

C. Telecommunications Plan Development - Update:

Deputy Director Denise Brady

- Public Testimony

D. Multi Media Summit: President Ellington

- Public Testimony

5. **OLD BUSINESS**

A. Annual Report to the Department of City Planning - Update:

Deputy Director Denise Brady

- Public Testimony

6. **NEW BUSINESS**

None

7. **CALENDAR MATTERS**

None

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**

SUNSHINE ORDINANCE

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TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

MINUTES

TUESDAY, FEBRUARY 17, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410

REGULAR MEETING
5:30 P.M.

COMMISSIONERS

E. David Ellington, President
Jan Masaoka, Vice President
Bonnie Engel
Ernest Jackson
John Lira

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Edward Harrington
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

Tripta Gupta
Acting Commission Secretary

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President Ellington at 5:35 P.M.

Present: E. David Ellington
 Ernest Jackson
 John Lira
 Jan Masaoka

Excused Absence: Bonnie Engel

President Ellington announced that tonight's meeting was a regular meeting and that it was being broadcast live.

2. Approval of the Minutes

President Ellington asked the Commissioners if they had any comments on the minutes for the meetings of January 20 and February 6. There were none. President Ellington asked if there was any public testimony regarding the minutes. There was none.

Vice President Masaoka made a motion to adopt the minutes of the January 20 regular meeting and February 6 special meeting. Commissioner Lira seconded the motion. The minutes were adopted unanimously by the quorum. (Commissioner Jackson was not present for this vote.)

3. Communications

None

4. Commissioners' And Directors' Reports

A. Staffing Update:

Commissioner Ernest Jackson; Deputy Director Jane Rubin

President Ellington acknowledged and welcomed Denise Brady, the Deputy Director for Policy, Planning and Compliance, and said that he is pleased to have her on board. President Ellington also acknowledged Ms. Julia Friedlander, Deputy City Attorney, and Mr. Edward Harrington who was the acting Director of the Department of Telecommunications and Information Services and hoped that he would stay active with the Commission.

Deputy Director Brady said that Deputy Director Jane Rubin could not attend the meeting tonight because she was trying to meet the budget deadlines. Ms. Brady stated that all the Deputy Directors are on board as of February 2nd. Director Jessica Josephson is scheduled to arrive February 26 to participate in the Multimedia Summit.

B. PEG Update

Commissioner Bonnie Engel; Deputy Director Denise Brady

Deputy Director Brady reported that meetings had been held with various people associated with the PEG channels. Ms. Priscilla Watts, Executive Producer of the Government Channel, who also joined DTIS on February 2nd, has had several meetings with Zane Blaney and the Government channel technical staff to discuss the evolution and the future of the Public Access and Government channels. Ms. Watts is scheduled to meet with representatives from the Educational channel next week. She is now working on the potential studio site, and so far she has checked out four sites. She has made arrangements to move the CITYWATCH technical support staff to DTIS at 875 Stevenson on March 5th. She reports that Headend is operational at the library. Additionally, the Policy, Planning and Compliance Division (PP&CD) had begun the budget review with CTC.

C. Telecommunications Plan - Update:

Deputy Director Denise Brady

Deputy Director Brady reported that all Deputy Directors had now met twice and reviewed all the documents that had been prepared to date regarding MCG (Media Connections Group) consultant contract. Ms. Brady stated that staff were in the process of rewriting the scope to bring a tighter focus and reestablishing due dates for project deliverables. The transmittal document to the Board of Supervisors for the extension of the due date of the submittal of the Telecommunications Plan to the Board has been prepared. Mr. Ken Tashian of PP&CD has been assigned as the contract manager. Ms. Brady stated that in March a report will be submitted to the Commission on the ongoing work regarding the Telecommunications Plan. Also, in March, Deputy Directors Edmundo Colchado and Rod Loucks plan to make presentations to the Commission. Mr. Colchado's presentation will be on the basic telephone system and a basic one-way cable system as we have in San Francisco. Mr. Loucks will talk about the evolution of the City's voice and data systems.

Vice President Masaoka asked Ms. Brady when would the scope of work for the consulting team be written. Ms. Brady responded that the actual deliverable dates and milestones were being negotiated and, hopefully, will be in place in advance of the March Commission meeting. The plan is to send information to the Commissioners for their review before the March meeting. Ms. Brady hopes to have the final version of the contract by the March Commission meeting.

President Ellington asked if this would be the final version of the contract as opposed to a list of final deliverables. Ms. Brady replied that she hopes to have both of these in place by the March Commission meeting.

D. Multimedia Summit: President Ellington

President Ellington reported that there is an organization in the City called the San Francisco Partnership. The membership of the organization is made up of both private and public sector entities. The Mayor and local business leaders are on the Board of San Francisco Partnership. The organization has created several task forces, and one of the task forces is called the Multimedia Task Force, created to attract and retain multimedia businesses to the City. There is an area in the City called the Multimedia Gulch, which is located in the South of Market, where most of the new Internet online services and multimedia software companies are located. President Ellington added that it is probably the largest Multimedia community in the world. The Mayor has taken a personal interest in multimedia and wants to develop and foster the industry in the City. President Ellington has been a part of the Multimedia Task Force since its inception.

The Multimedia summit will take place on Friday, February 27. The opening presentations will be made by Mayor Brown and other multimedia leaders. At the end of the summit, there will be a competition of the local technologies. In this particular summit, several City officials and Commissioners from various departments are expected to participate so that they get to meet with the people from the private sector and exchange ideas in anticipation that the City can function more efficiently leveraging some of the technologies.

President Ellington said the reason the Commission is taking so much interest in this industry is that a part of the mandate of the Telecommunications Commission is to work with the Multimedia community in the City. Deputy Director Brady would interface between the Commission, DTIS, and the Multimedia community.

President Ellington reported that the response to the Summit so far has been overwhelming. He said that for more information about the summit and registration, people can call the San Francisco Partnership at 415-352-8801.

Ms. Brady said that the web page address for the San Francisco Partnership is: www.gulch.com. The Multimedia Summit will be held at the Yerba Buena Gardens. Ms. Brady reported that DTIS staff is assisting Supervisor Leslie Katz, the Mayor's office, and the San Francisco Partnership in preparing for the summit. CITYWATCH has made arrangements to air the summit proceedings.

5. OLD BUSINESS

A. Annual Report to the Department of City Planning - Update: Deputy Director Brady

Deputy Director Brady reported that over the next month the DTIS staff will review the Planning Department's siting guidelines and prepare a draft report for review by the Telecommunications Commission by the March Commission meeting. The report will include the role of DTIS, any appropriate technical advances we may be aware of, as well as any pending State, Federal, or FCC activity affecting the City's authority in this arena.

6. **NEW BUSINESS:**

None

7. **CALENDAR MATTERS**

The Commission agreed to have the following items on the agenda for its March meeting:

1. Presentation by the Bayview Hunters Point Redevelopment Pack Group (Commissioner Jackson will contact President Ellington or the Commission Secretary once this is confirmed.)
2. Presentation by Deputy Director Edmundo Colchado on the basic telephone and cable systems.
3. Presentation by Deputy Director Rod Loucks on evolution of the City's voice and data systems.
4. Presentation by TCI on the status of introduction of compression technology.

The following item will be placed on the agenda for the April Commission meeting:

1. An update on the City's web site by DTIS staff.

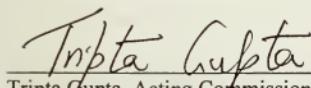
8. **PUBLIC COMMENT**

None

9. **ADJOURNMENT**

The meeting was adjourned at 5:54 P.M.

Respectfully submitted,



Tripta Gupta, Acting Commission Secretary



Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, March 16, 1998, at 5:30 P.M.
The War Memorial Building
401 Van Ness Avenue, Room 410

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MAR 12 1998

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PUBLIC LIBRARY

AGENDA

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Jan Masaoka, Vice President
Commissioner Bonnie Engel
Commissioner Ernest Jackson
Commissioner John Lira

2. APPROVAL OF THE MINUTES

Adoption of the Minutes of the February 17, 1998, Regular Meeting of the Telecommunications Commission.

- Public Testimony

3. COMMUNICATIONS

See attached

4. COMMISSIONERS' AND DIRECTORS' REPORTS

A. Staffing Update

- Public Testimony

4. **COMMISSIONERS' AND DIRECTORS' REPORTS** - continued

B. PEG Update:

Commissioner Bonnie Engel; Deputy Director Denise Brady

- Public Testimony

C. Telecommunications Plan Development - Update:

Deputy Director Denise Brady

- Public Testimony

D. Multimedia Summit - February 27, 1998:

President E. David Ellington; Deputy Director Denise Brady

- Public Testimony

5. **OLD BUSINESS**

A. Annual Report to the Department of City Planning - Update:

Deputy Director Denise Brady

- Public Testimony

6. **NEW BUSINESS**

A. Presentation on the design and features of

Telephone and Cable Television Systems:

Deputy Director Edmundo Colchado

- Public Testimony

B. Presentation on the Evolution of San Francisco's

Data Network: Deputy Director Rod Loucks

- Public Testimony

6. **NEW BUSINESS** - continued

C. Public Hearing Regarding TCI:

1. Annual Price Adjustment for Basic and Expanded Basic Services
2. New Pricing Structure and Channel Offerings of Digital Channels
3. Process for Selecting New Channels
4. High Speed Internet Access to the home through @Home Network

- Public Testimony

7. **CALENDAR MATTERS**

April Commission Meeting:

1. An Update on the City's Web site by DTIS Staff
2. Bayview Hunters Point PAC Presentation

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**

Telecommunications Commission

March 16, 1998

Page 4

COMMUNICATIONS RECEIVED FEBRUARY 17 - MARCH 9, 1998:

Invitation received from Christopher Beaver, Noe Valley Families, to a conference **Antenna Free Zones** on March 21, 1998. Dr. Neil Cherry will be the featured speaker. The invitation includes research paper by Neil Cherry on **Potential and Actual Adverse Effects of Radiofrequency and Microwave Radiation at levels near and below $2\mu\text{W/cm}^2$** , background materials on Dr. Neil Cherry and newspaper clippings regarding cellular antennas.

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

DISABILITY ACCESS

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TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

MINUTES

MONDAY, MARCH 16, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410

REGULAR MEETING
5:30 P.M.

2000
DOCUMENTS DEPT.

APR 16 1998

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COMMISSIONERS

E. David Ellington, President
Jan Masaoka, Vice President
Bonnie Engel
Ernest Jackson
John Lira

Jessica J. Josephson
DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

Tripta Gupta
Acting Commission Secretary

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President Ellington at 5:37 P.M.

Present: E. David Ellington
Bonnie Engel
John Lira
Jan Masaoka

Excused Absence: Ernest Jackson

2. Approval of the Minutes

Vice President Masaoka made a motion to adopt the minutes of the February 17 regular meeting. Commissioner Engel seconded the motion. The minutes were adopted unanimously.

3. Communications

President Ellington and Commissioner Lira stated that they were interested in attending the Antenna Free Zones conference on March 21, 1998, organized by Noe Valley Families, if their schedules would allow.

4. Commissioners' And Directors' Reports

A. Staffing Update: Deputy Director Jane Rubin

Deputy Director Jane Rubin reported that all the Deputy Directors for the Department are in place and that Jessica Josephson, the Director of the Department, has joined the department since the last meeting and is here tonight.

President Ellington acknowledged and welcomed Jessica Josephson, Director of the Department of Telecommunications and Information Services (DTIS), stating how pleased the Commission is to have her on board. Director Jessica Josephson provided a brief summary of her background. The Deputy Directors present at the meeting introduced themselves: Denise Brady, Policy and Compliance; Ed Colchado, Network Engineering; Rod Loucks, Applications Development; Jane Rubin, Administration; and Fred Weiner, Network Facilities. Deputy Director Brady said that Deputy Director Kuni Takeshita, Enterprise Computing, was unavailable tonight.

Commissioner Engel welcomed everyone and asked for the management team's titles, phone numbers, and e-mail addresses.

4. Commissioners' And Directors' Reports - continued

Vice President Masaoka asked if the Department can have its own web site. Director Josephson promised that the Department will develop a web site.

Commissioner Lira asked that DTIS notice the Commission meetings in the publication designated for this purpose. Deputy Director Rubin stated that the Commission meeting schedules are published in the Independent.

B. PEG Update:

Commissioner Bonnie Engel; Deputy Director Denise Brady

Deputy Director Brady reported that staff is looking at the studio sites at various locations; Fort Mason, Mission & 21st Street, 10th and Harrison, and a building that TCI has alerted us to on Mission, south of Geneva. Staff is trying to pin down the square footage rental rates for these four locations. At this point, staff does not know the rental rate or the improvement costs.

Deputy Director Brady reported that the budget is being prepared for Fiscal Year 1998-99 with SFCTC regarding public access and the government channels. As soon as the budget is ready, a package will be prepared to present to the Board of Supervisors to request funding above and beyond what the TCI agreement is generating for improvement and operation of the public access channel and what we would need to operate the government channel when City Hall opens. SFCTC and DTIS staff have toured City Hall and reviewed the new floor plans with the project manager. That project is on schedule. Since the last Commission meeting, Priscilla Watts has met with the staff from City College and the Unified School District.

Commissioner Engel asked where we were on the contract negotiations with CTC about the government and public access channels and how will that affect the timing of when we go to the Board of Supervisors. Deputy Director Brady responded that we do not have a lot of information on the contract yet. Staff is working with the City Attorney's office and Zane Blaney to gather all the documents and determine which are working documents, and which agreements have been formally adopted.

Controller Harrington stated that his understanding was that the contract, the budget, and the location of the studio site were all intermingled. Therefore, staff is trying to package it in one place.

In response to the inquiry about a deadline from Commissioner Engel and President Ellington, Ms. Watts stated that there were no staffing problems and that we should be okay this fiscal year. She said that staff is targeting July as the deadline.

Commissioner Engel invited Ms. Watts to the PEG Advisory Committee meetings. She said that it was envisioned that the representation on the Advisory Committee will consist of one of the departments who is a big user of the government channels, one representative from the Board of Supervisors, one person from the Telecommunications Commission as an observer, two representatives from each of the channels - none of this is settled yet.

4. Commissioners' And Directors' Reports - continued

Vice President Masaoka asked Mr. Zane Blaney if they were encountering problems in not having a contract until the studio site was decided. Mr. Blaney responded that they are not currently having problems, but he is hoping to at least begin discussion on a framework of a contract and move forward soon. It may not be necessary to have an exact site identified.

Commissioner Engel asked if there was any commitment on the part of TCI to keep the Public access Channel at a certain level of quality while we look for a location.

Dough Schultz, General Manager of TCI, responded that he was not aware of the quality of the public access channel getting worse, but that he will check on it. He thanked Commissioner Engel for pointing this out and apologized if the quality was poor.

Deputy Director Brady asked the Commissioner to let her office know of any problems they are aware of since this is a franchise enforcement issue.

Commissioner Lira asked that any site selected for the studio should be in an area where it leads to greater economic development for that neighborhood.

- Public Testimony

Zane Blaney, Executive Director of CTC, acknowledged and thanked the staff of DTIS for welcoming CityWatch and SFCTC to 875 Stevenson Street. He feels their productivity will greatly increase by being there. His concern is that we should not lose the momentum on the transition of public access from the Cable operator to the non-profit corporation.

Ken Capell stated that it would be dangerous to move into TCI's premises. The Commission may not like the public scrutiny that would be brought forward if the City became a tenant of TCI.

C. Telecommunications Plan Development - Update: Deputy Director Denise Brady

Deputy Director Brady reported that about two weeks ago DTIS was informed by Media Connections Group that they were withdrawing their interest in being our consultants for the development of the Telecommunications Plan. Ms. Brady stated that by the April Commission meeting, staff will report on the new strategy for developing the Telecommunications Plan.

D. Multimedia Summit - February 27, 1998: President E. David Ellington; Deputy Director Denise Brady

President Ellington explained that this Commission is the point entity for the City dealing with multimedia in San Francisco.

President Ellington reported that the Multimedia Summit on February 27 was a phenomenal success. There were over 200 attendees. The Mayor was there practically all day. It was a great

4. Commissioners' And Directors' Reports - continued

opportunity for the City officials to interact with the multimedia industry. The City has acknowledged the presence of the multimedia industry. The keynote speaker was John Doerr, the successful venture capitalist. A survey was taken of the attendees on issues such as the infrastructure, by Coopers and Lybrand. President Ellington stated that Deputy Director Brady interfaces with multimedia community; she focuses on the Telecommunications Commission, the Mayor's Office, and DTIS. He thanked Ms. Brady for her work.

Vice President Masaoka asked if copies of the Coopers and Lybrand survey could be provided to the Commission. She asked if the Commission could also see the specific proposal presented at the Summit.

President Ellington said that he has asked Mara Brazer, San Francisco Partnership, to give an update on the Multimedia industry. Once the Commission has decided what kind of policies the City should be focusing on to support the industry, it will make recommendations to the Board of Supervisors and to the Mayor.

Vice President Masaoka suggested that since the urgency of supporting the multimedia industry cannot wait, particularly with the delay in preparing the Telecommunications Plan, the Commission should think about adopting smaller proposals. President Ellington concurred and said that the Commission would be working in parallel on the multimedia strategy and the Telecommunications Plan.

5. OLD BUSINESS

A. Annual Report to the Department of City Planning - Update: Deputy Director Denise Brady

Deputy Director Brady read a draft letter addressed to the Planning Commission for approval by the Commission. The Commission approved the letter to be sent to the Planning Commission.

President Ellington emphasized that the Telecommunications Commission takes very seriously the health issues concerning cellular antennas. However, the Commission has taken the position that its mandate is to focus on the Telecommunications Plan, IT services, and network. If there is a technology that will reduce the electromagnetic emission field effects, the Commission will champion that and take it to the Board of Supervisors and the Mayor. President Ellington assured everyone that any health issues brought before the Commission will be given to the appropriate agency, such as the Department of Public Health.

6. NEW BUSINESS

A. **Presentation on the design and features of
Telephone and Cable Television Systems:
Deputy Director Edmundo Colchado**

**Presentation on the Evolution of San Francisco's
Data Network: Deputy Director Rod Loucks**

Deputy Directors Fred Weiner, Ed Colchado, and Rod Loucks made presentations on the data and voice networks that exist currently, and a high level overview on what has happened to the City's data network since 1950. Handouts on the presentations were given to the Commissioners and the public.

President Ellington stated that we are moving toward the Telecommunications Plan, and the presentations by the Deputy Directors are an integral part of that process. He said that we could start the process of inventory with the information that we have now, which is the first phase of the Plan. The second phase of the Plan would be how we will grow to scale, improve systems and networks. He thanked the Deputy Directors for their presentations.

Commissioner Engel inquired what the process would be in the City for a new telephone network provider. Deputy City Attorney Friedlander said that legal requirements vary depending upon on the kind of company.

Commissioner Engel asked if the City has ever looked into a Telecommunications infrastructure for the City. Deputy Director Brady stated that the City anticipated meeting at least some of its infrastructure needs when the City negotiated the recent PG&E agreement for the acceleration of utility undergrounding. The City has secured access to a PG&E conduit loop that passes 28 City buildings. In addition, the City is entitled to a conduit dedicated for City telecommunications services in all TCI trenches. Over 40 miles of streets will be undergrounded during the next 5 years resulting in City conduit where TCI is in the trench on residential streets. Commissioner Engel asked if the City has a policy for using this cable conduit. Deputy Director Brady stated that these and other resources will be evaluated in the development of the Telecommunications Plan. In the meantime, DTIS and/or COIT considers telecommunications needs on a case by case basis.

Commissioner Lira expressed concern about data being lost during migration to new systems. DTIS Director Jessica Josephson assured the Commission that DTIS is very aware of these issues and will make it a part of the Telecommunications Plan. Ms. Brady stated that in the interim, COIT is the mechanism to look at these while we work on the Telecommunications Plan. Any department that is going through a major change/migration has to come into COIT. The DTIS management team intends to work closely with COIT in reviewing interim departmental plans.

C. Public Hearing Regarding TCI:

1. Annual Price Adjustment for Basic and Expanded Basic Cable TV services
2. New Pricing Structure and Digital Channel Offerings
3. Process for Selecting New Programming
4. High Speed Internet Access to the home through @ Home Network

Doug Schultz, General Manager of TCI, made a presentation to the Commission to answer the four specific questions raised by the Commission and itemized on the agenda. Fact sheets were given to the Commission, staff and the public on this presentation.

President Ellington announced that Commissioner Engel is the point person on CABLE TV issues.

Mr. Schultz explained that the Cable prices are adjusted on an annual basis and are regulated by the 1992 Cable Act implemented by FCC. The 1998 price change is mostly due to increased programming fees paid by the Cable operator, inflation, and markup. Mr. Schultz explained what services were covered under the Expanded Basic annual fees. He said that prices may go up or down depending upon the circumstances. Mr. Schultz said that the core business of TCI is to launch more video services. He stated that analog and digital are two separate services. At the headend, they would be adding new equipment to provide more digital services. Mr. Schultz stated that the signal comes from Denver and there is nothing they can do locally about this. Mr. Schultz said that the Company does a nation-wide survey to determine what kind of services the TCI customers and focus groups request, and then they look at what will sell the best.

President Ellington asked Mr. Schultz to find out how many of these selected channels are owned or partially owned by TCI. He added that compared to other major cities, the number of channels that are offered in San Francisco are limited. He stated that we would like TCI to offer more services to San Francisco.

President Ellington asked when the current franchise with TCI expires and when is the next window for negotiations. Deputy City Attorney Julia Friedlander responded that the franchise expires in December of 2005. She added that there are three different ways the franchise can be re-opened: 1) With agreement from TCI. If TCI is not willing, there are two other ways: 2) to re-negotiate provisions that have to do with the public education and government access channels, there is a method for the Commission to recommend changes to be voted on by subscribers by secret ballot; 3) in other provisions of the franchise, there are opportunities every three years for the City to initiate franchise amendments. The first opportunity will come up in December 1999. There are some limitations to what can be amended listed in Section 29 of the franchise. Ms. Friedlander agreed to bring this section to the next Commission meeting.

President Ellington asked Mr. Schultz to send representatives to the Commission meetings because a significant part of the Telecommunications Plan is focused on entrepreneurial activities.

6. NEW BUSINESS - continued

At the request of President Ellington, Mr. Schultz defined “@Home” as a high speed Internet service. It is via a cable modem which hooks to the subscriber’s computer, goes through cable lines in the street providing a path to the Internet. The speed is 10 megabytes per second.

Commissioner Engel asked for a current map of the cable system. She said that the map should show what areas of the City the company serves and where they plan to go. Mr. Schultz agreed to provide this map at the next Commission meeting.

Commissioner Engel suggested to Deputy City Attorney Friedlander that an assessment be done regarding the franchise to determine where we are now and if there are any outstanding issues with the company. Ms. Friedlander said she would assist Ms. Brady on franchise compliance issues. Commissioner Engel asked if there was a way to urge TCI to upgrade the system as it is being undergrounded. Deputy Director Brady responded that it makes sense and that she would make this appeal to TCI.

DTIS Director Jessica Josephson asked Mr. Schultz if DTIS could get a copy of their programming study. Mr. Schultz responded that the study is confidential, but that he would find out if it could be made available.

Vice President Masaoka asked that since we now have the new management team in place, could we begin to more carefully monitor TCI both for franchise and FCC compliance. She said that a year ago, staff was going to find out what kind of costs would be involved in that kind of monitoring. Deputy Director Brady responded that to her knowledge there has been no study done to determine cost. She is, however, negotiating with the Deputy City Administrator for transfer of funding for one position for this purpose. The City Administrator’s office has been in charge of overseeing the franchise issues, the wiring of buildings, and complaints from subscribers, etc. Vice President Masaoka asked staff to report back to the Commission in its May meeting the costs involved in that kind of monitoring. Deputy Director Brady will report on this.

In response to an inquiry from President Ellington, it was determined that Deputy City Attorney Julia Friedlander is the point person for FCC compliance.

- Public Testimony

Perry Brown expressed concern that San Francisco does not have access to as many channels as does San Jose, or Baltimore, MD. He also mentioned the “ghosting” problems being experienced in the City. Doug Schultz acknowledged that there is imaging problems in the City for some people who live below or around Sutro Tower. This can be resolved by installing a cable box, which the viewer can get from Radio Shack or a recycled box from TCI for 88 cents.

Greg Richardson, Co-chair of the S.F. Public Housing Merchants’ Association, member of Chemical Awareness Treatment Service Center, and a public access producer, said that he is interested in coming up with programming opportunities with TCI to do educational programming.

7. **CALENDAR MATTERS**

The Commission requested that the following items be placed on the agenda for the April Commission meeting:

1. An update on the City's web site by DTIS staff
2. Bayview Hunters Point PAC Presentation
3. Telecommunications Plan Strategy
4. Minority Contracts in San Francisco's Telecommunications Purchasing
5. TCI Cable
6. Broadband Wiring

8. **PUBLIC COMMENT**

None

9. **ADJOURNMENT**

The meeting was adjourned at 8:40 P.M.

Respectfully submitted,



Tripta Gupta, Acting Commission Secretary



**Department of Telecommunications and Information Services
City and County of San Francisco**

NOTICE

REGULAR MEETING OF THE

TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, April 20, 1998, at 5:30 P.M.

**The War Memorial Building
101 Van Ness Avenue, Room 410**

AGENDA

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DOCUMENTS DEPT.

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Jan Masaoka, Vice President
Commissioner Bonnie Engel
Commissioner Ernest Jackson
Commissioner John Lira

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2. APPROVAL OF THE MINUTES

Adoption of the Minutes of the March 16, 1998, Regular Meeting of the Telecommunications Commission.

- Public Testimony

3. COMMUNICATIONS

See attached list

4. COMMISSIONERS' AND DIRECTORS' REPORTS

A. Ms. Jessica Josephson to report on first month as the Director of DTIS

- Public Testimony

4. **COMMISSIONERS' AND DIRECTORS' REPORTS** - continued

B. PEG Update:

Commissioner Bonnie Engel; Deputy Director Denise Brady

- Public Testimony

C. Telecommunications Plan Strategy:

Deputy Director Denise Brady

- Public Testimony

5. **OLD BUSINESS**

None

6. **NEW BUSINESS**

A. Update on DTIS Website:

Deputy Director Rod Loucks

- Public Testimony

B. Proposal for the Website for

the Telecommunications Commission:

Deputy Director Rod Loucks

- Public Testimony

7. **CALENDAR MATTERS**

8. **PUBLIC COMMENT**

9. **ADJOURNMENT**

COMMUNICATIONS RECEIVED MARCH 10 - APRIL 13, 1998:

1. A letter from TCI to Supervisor Kaufman, President, Board of Supervisors, about TCI's introducing a new entertainment service called Digital Cable in a few months.
2. A letter from Ken Kappel giving his comments about various issues such as TCI, Multimedia Gulch, etc.
3. A letter from Linda S. Crayton, Director, Government Affairs, AT&T, regarding long distance service market and the notice filed by SBC/Pacific Bell with the California PUC.
4. A letter from TCI to Supervisor Kaufman, President, Board of Supevisors, about TCI's implementing certain adjustments to the Basic and Expanded Basic prices effective June 1, 1998.

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

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**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

**MONDAY, APRIL 20, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410**

**REGULAR MEETING
5:30 PM**

COMMISSIONERS

**E. David Ellington, President
Jan Masaoka, Vice President
Bonnie Engel
Ernest Jackson
John Lira**

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**Jessica J. Josephson
DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES**

**Margaret Culver
Commission Secretary**

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by Vice President Masaoka at 5:33 PM.

Present: Bonnie Engel
 Ernest Jackson
 John Lira
 Jan Masaoka

Excused Absence: E. David Ellington

2. Approval of the Minutes

Commissioner Engel made a motion to adopt the minutes of the March 16 regular meeting. Commissioner Jackson seconded the motion. The minutes were adopted unanimously.

3. Communications

Vice President Masaoka requested that only one copy of communications from TCI be sent to Commissioners

4. Commissioners' and Directors' Reports

A. Report on first month as DTIS Director: Director Jessica Josephson

Director Josephson reported that a detailed communications plan is forthcoming. The Department is being redesigned. Evaluating and implementing telecommunications services and software is in process. Assessment of working with other Departments is being done. Policies are being redefined. Knowledge and commitment of talented City staff is being harnessed. She stated that in two months DTIS will provide a detailed plan. She is optimistic about making progress in dealing with telecommunications. She stated her enthusiasm about working with the Mayor, the Commissioners and the talented deputies in DTIS.

Telecommunications Commission

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April 20, 1998

**B. Public Access, Education, Government (PEG) Update:
Commissioner Bonnie Engel; Deputy Director Denise Brady**

Deputy Director Brady reported that San Francisco Community TV Corporation and DTIS are working on budget details to be submitted in mid-May. Tenant improvement information from three potential sites (Fort Mason, Mission Street and 10th & Howard Streets) should be received this week.

DTIS is working on language and key points for the contract with SFCTC and clarification on key questions, such as who will lease the facilities and who will own the equipment.

SFCTC is finalizing the equipment list for the Main Library Studio and equipment for the van. A member of SFCTC's Technical Advisory Committee has volunteered to design the layout of the van equipment.

Zane Blaney, SFCTC Executive Director, is scheduling a PEG providers' meeting to discuss sharing of the van and facilities in the next week or two.

DTIS and Mr. Blaney will be meeting to review the TCI franchise agreement and to discuss timeline for Public Access transition.

DTIS attended National Association of Broadcasters with Mr. Blaney and Mike Freeman to see demonstrations and accrue information on studio equipment, cameras for remote packages, vans and van equipment and attended technical seminars to better understand the conversion from analog to digital and how to prepare for this transition.

Ms. Brady estimated that the necessary budget documents are due from SFCTC in time to meet a mid-May deadline.

**C. Telecommunications Plan Strategy:
Deputy Director Denise Brady**

Deputy Director Brady presented a written status report on the Telecommunications Plan. She reported that DTIS is currently pursuing completion of the "Inventory and Internal Needs Assessment" phases of the Telecommunications Plan using City resources. Having COIT's administrative operations working with the Division of Policy and Compliance has created an opportunity to align goals and establish a common vision.

Telecommunications Commission

-3-

April 20, 1998

Activities currently underway include: Expanding COIT's planning activities to include an information network technology component in its annual assessment effort. This effort includes conducting personal interviews with departments highly reliant upon information technology and surveying over 50 City agencies to determine their needs/requirements; establishing a Task Force comprised of staff with asset management responsibility from various City agencies, e.g. DTIS, DPW, MUNI, DRE and PUC to determine existing assets useful for telecommunications planning; requesting infrastructure capital plans scheduled over the next five years to identify future City assets useful for telecommunications planning; and reviewing database alternatives for inventory control purposes.

- Public testimony

Vice President Masaoka responded to Sybil Boutilier, Coordinator of Special Projects & Grant-Funded Programs, San Francisco Public Library, who expressed her concern regarding a public external needs assessment being performed by DTIS staff, assuring her that DTIS intends to do only an internal assessment which will be conducted by City staff. Ms. Brady concurred that an external assessment will be done with consultant(s).

5. Old Business

None

6. New business

A. Update on DTIS Website:
Deputy Director Rod Loucks

Deputy Director Loucks presented a written status report on the Internet/Intranet, including a graph showing Cityspan Website Page Views from January 1996 through March 1998. In March 1998, 370,000 hits were made on the website. The report includes Cityspan (Internet) total number of new sites as 57 and new sites since October 1997 as 9. Projects completed since October 1997, active projects, plans/pending requests and site enhancements under review are listed. In the Citycenter portion (Intranet, all Domino), recently completed and active projects are listed and plans/pending requests are also. In the City access report, recently-completed projects include meeting with Digital/KPMG to discuss infrastructure, current tools and procedures, plans for Internet/Intranet, etc. Each CCSF Website, by Department, is also reported.

Rollout starts with the website. Fifteen updates are performed daily by DTIS. The cost of maintaining the site two years out is estimated at \$600,000-700,000 yearly.

Telecommunications Commission

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April 20, 1998

B. Proposal for the Website for the Telecommunications Commission:
Deputy Director Rod Loucks

Deputy Director Loucks reported that work is being done on a plan to include an information page, with Commissioners biographies and photographs. It will include history explaining creation of Commission and its enabling legislation. For the public, it will post Commission meeting notices and information regarding special projects.

7. Calendar Matters

The Commission requested that the following items be placed on the agenda for the May Commission meeting:

- A. Telecommunications Plan
- B. Minority Contracting
- C. TCI Cable
- D. Multimedia Summit
- E. Year 2000
- F. Awards program

8. Public Comment

None

9. Adjournment

The meeting was adjourned at 6:45 PM.

Respectfully submitted,

Margaret Culver
Margaret Culver, Commission Secretary

COMMUNICATIONS RECEIVED APRIL 14 - MAY 11, 1998:

Booklet entitled "An Overview of the Laws Governing the Conduct of Public Officials," dated March 23, 1998, from the office of the City Attorney.



Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, May 18, 1998, 5:30 PM
The War Memorial Building
401 Van Ness Avenue, Room 410

AGENDA

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Jan Masaoka, Vice President
Commissioner Bonnie Engel
Commissioner Ernest Jackson
Commissioner John Lira

- Public testimony

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2. APPROVAL OF THE MINUTES

Adoption of the Minutes of the April 20, 1998, Regular Meeting of the
Telecommunications Commission.

- Public Testimony

3. COMMUNICATIONS

See list at end of agenda

4. COMMISSIONERS', DEPUTY DIRECTORS' AND DIRECTOR'S
REPORTS

A. Denise Brady, Deputy Director, Policy and Compliance

1. Cable Rates
2. PEG Program Schedule on CityAccess
3. Year 2000 Newsletter
4. Coopers Lybrand Study

5. Voice, Fax, E-mail information

- Public testimony

B. PEG Update:

Commissioner Bonnie Engel; Deputy Director Denise Brady

- Public testimony

C. Telecommunications Plan:

Director Jessica Josephson

- Public testimony

5. OLD BUSINESS

None

6. NEW BUSINESS

A. Update on Year 2000:

Deputy Director Rod Loucks, and P.M. Ron Hass

- Public testimony

B. Telecommunications and Information Technology Awards Program:

Commissioner Ernest Jackson; Deputy Director Brady

- Public testimony

C. Minority Contracting:

Commissioner John Lira; Deputy Director Brady

- Public testimony

D. Multimedia Summit Update:

Vice President Jan Masaoka; Deputy Director Brady

- Public testimony

E. SFCTC Presentation:
Zane Blaney, Executive Director, SFCTC

- Public testimony

7. CALENDAR MATTERS

8. PUBLIC COMMENT

9. ADJOURNMENT

COMMUNICATIONS RECEIVED APRIL 14-MAY 11, 1998:

Booklet entitled "An Overview of the Laws Governing the Conduct of Public Officials," dated March 23, 1998, from the office of the City Attorney

SUNSHINE ORDINANCE

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3/98

**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

**MONDAY, MAY 18, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410**

**REGULAR MEETING
5:30 P.M.**

DOCUMENTS DEPT.

JUN 11 1998
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**E. David Ellington, President
Jan Masaoka, Vice President
Bonnie Engel
Ernest Jackson
John Lira**

**Jessica J. Josephson
DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES**

**Margaret Culver
Commission Secretary**

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President Ellington at 5:32 p.m.

Present: E. David Ellington
 Bonnie Engel
 Ernest Jackson
 Jan Masaoka

Excused Absence: John Lira

2. Approval of the Minutes

Vice President Masaoka made a motion to adopt the minutes of the April 20 regular meeting. Commissioner Engel seconded the motion. The minutes were adopted unanimously.

3. Communications

President Ellington requested that "Public testimony" be added after this item on the June 15 agenda.

4. Commissioners', Deputy Directors' and Director's Reports

C. Telecommunications Plan: Director Jessica Josephson

Director Josephson reported that the first draft outline for the Telecommunications Plan will be submitted in 60 days. In response to Commissioner Masaoka, she stated that she would provide the Commission with a schedule for the Plan next week. President Ellington confirmed that the Department would pursue the City needs assessment in parallel and will be trying to look at other entrepreneurial opportunities using a consultant for this area. Commissioner Ellington confirmed with Director Josephson that the Plan should be completed by the end of the year.

B. PEG Update:

Commissioner Bonnie Engel; Deputy Director Denise Brady

Commissioner Engel reported chairing a productive meeting held with PEG channel operators, DTIS staff and Controller Ed Harrington on May 13. A budget package will be sent to the Board of Supervisors in two months. Moneys from the TCI franchise are an essential ingredient to rent facility. Supplemental money will be required to outfit studio. SFCTC will also need to identify other funding for other productions.

Deputy Director Brady reported that the initial rough draft contract has been prepared and sent to the City Attorney. SFCTC budget deadline has been extended from May 11 to May 25 at their request. Commissioner Engel stated that all three channels are working together and their budgets will be submitted as a package.

A. Denise Brady, Deputy Director, Policy and Compliance

Deputy Director Brady reported that TCI had sent letters dated April 10 to subscribers advising of a rate increase effective June 1. She reported that the Government Channel's Program Schedule has its own web site which is being bridged/moved to CitySpan. We will contact the other channels to see what it would take to add their programming schedules. She reported that the Year 2000 newsletter is published on CityAccess and that the Commissioners are also on the distribution list. As requested, the Coopers and Lybrand report was mailed out to the Commissioners last month, along with fax/voice/phone numbers of DTIS staff.

5. Old Business

None

6. New Business

A. Update on Y2K:

Deputy Director Rod Loucks; Project Manager Ron Hass

President Ellington called this a pressing issue. Deputy Director Loucks reported that this project got underway in early 1996 and introduced the Project Manager.

Project Manager Ron Hass presented a written report on "Year 2000 Status" including objective, project summary, other activities, approximate costs/staff resources; client applications status by department: strategic applications, estimated costs and DTIS internal components and status.

President Ellington confirmed that there is no single point of contact for Y2K compliance for the City although DTIS is making a City-wide outreach to assist any and all departments with their Y2K needs.

**B. Telecommunications and Information Technology Awards Program:
Commissioner Ernest Jackson; Deputy Director Brady**

Commissioner Jackson stated that he was proud of the work done by Ron Hass and that it is difficult to recruit and retain good employees. The Commission needs to recognize outstanding employees. To this end, he proposed that the Commission implement an employee awards program and asked Deputy Director Brady if she had researched the Commission's ability to give cash awards. She referred to the Administrative/Municipal Code which by ordinance allows funds for some departments' awards programs. She has asked Deputy City Attorney Julia Friedlander to look into this and will report back next month. In an environment where cash award is not always available, recognition by the Commission is an honor in itself. Commissioner Masaoka stated that such nominations would send a message about the importance of DTIS' work and IT work done in other Departments.

Director Josephson stated that people within Department have been asked to redesign our internal awards program and suggested that this information be shared with the Commission. Commissioner Masaoka suggested something with different acronym. President Ellington expressed his excitement about the program and asked that it be addressed at June 15 meeting.

**C. Minority Contracting:
Commissioner John Lira; Deputy Director Brady**

Commissioner Lira was absent. Deputy Director Brady reported that DTIS currently uses standard City contract procedure that includes HRC requirements and significant notice to minority publications. As a result of the merger of ISD and DET, the contract functions are not yet centralized and so statistics are not available. Our goal is to have a single point of contact overseeing all contracts. When that person is hired/assigned, DTIS will develop a monitoring system, establish goals and monitor our progress. We will work with HRC and the Mayor's staff to develop proactive recruitment for certification of minority and women-owned businesses.

**D. Multimedia Summit Update:
Vice President Jan Masaoka; Deputy Director Brady**

Vice President Masaoka displayed the report entitled "San Francisco and the Future of Interactive Media - Final Report from the San Francisco Multimedia Summit 98" which had just been published. Deputy Director Brady reported that staff from the SF Partnership and Supervisor Leslie Katz' office stated that much activity is underway, as a result of the summit, and are hopeful that some announcements will be forthcoming.

**E. SFCTC Presentation:
Zane Blaney, Executive Director, SFCTC**

Zane Blaney gave an informal report in which he restated the history of past years while SFCTC has been working with the City on finding a site and building a production studio. It has recently been decided that SFCTC should sign the lease. A site has been located in the central City. He stated that the problem is that it has been difficult to lease without funds. He hopes that the City will put forward to the Board of Supervisors requests for a Supplemental Appropriation in July or August when the current budget process is over. He requested basic operation funding level for PEG channels and asked for support for stable funding source. He reminded about a resolution passed by the Commission about a year ago and a Board of Supervisors resolution passed over a year ago. On July 1, \$675,000 will not have been received. Cable operator expenditure is \$200,000 yearly on public access channel. In 1973, the Board of Supervisors created the Cable Television Task Force which produced a three-year report. The City did nothing with the report. In the 1980's the same recommendation was made. In 1991 another study was done. He thanked the Commission for its support and requested stable funding be found.

In answer to President Ellington's question regarding TCI, Mr. Blaney responded \$460,000. Mr. Blaney stated rent needs to be secured now. President Ellington asked how the Commission could help in securing funding for space, equipment and for operations. Mr. Blaney responded that \$100,000 of the \$400,000 would go for rent.

Deputy Director Brady stated that CTC is working with the City's Department of Real Estate to negotiate the lease and that DTIS would go to the Board of Supervisors to appropriate money to assist the corporation to get funding. Would like budget, business plan. TCI moneys are set. Franchise agreement. Need budget decision from Board of Supervisors and Mayor. May 25 can put together. Deputy Director Brady stated that DTIS needs CTC's budget and business plan in order to go to the Board of Supervisors for budget approval and appropriation of funds. If the need for appropriations of funds for securing lease becomes immediate, she will go to the Board for approval of that piece along but feels the Board needs the entire cost in order to act effectively.

Mr. Blaney stated his happiness to work with Ms. Brady on follow-through. In answer to President Ellington, Ms. Brady said can put package together. Offered assistance to corporation. With business plan and budget request can do.

DRE staff will let DTIS know if there is problem with landlord.

In answer to President Ellington, Mr. Blaney said will know within a few days about building. Ms. Brady said rent high. Need ballpark idea on cost of equipment. President Ellington asked if Commission had to do something. Commissioner Engel thanked Mr. Blaney and said that Commission would be talking to Supervisors and Mayor.

7. Calendar Matters

President Ellington requested that the Commissioners let him know if they want anything added to the next agenda.

8. Public Comment:

None

9. Adjournment

President Ellington adjourned the meeting at 7:05 p.m.

Respectfully submitted,

for Margaret Culver
Margaret Culver
Commission Secretary



Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, June 15, 1998, 5:30 PM
The War Memorial Building
401 Van Ness Avenue, Room 410

AGENDA

DOCUMENTS DEPT.

JUN 11 1998

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1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Jan Masaoka, Vice President
Commissioner Bonnie Engel
Commissioner Ernest Jackson
Commissioner John Lira

2. APPROVAL OF THE MINUTES

Adoption of the Minutes of May 18, 1998, Regular Meeting of the
Telecommunications Commission

- Public testimony

3. COMMUNICATIONS

See list at end of agenda

- Public testimony

4. COMMISSIONERS'/ DEPUTY DIRECTORS' AND DIRECTOR'S REPORTS

A. Telecommunications Plan: Director Jessica Josephson

- Public testimony

B. PEG Update/Budget/Resolution: Deputy Director Brady

- Public testimony

5. OLD BUSINESS

**A. Telecommunications and Information Technology
Awards Program - Proposed Ordinance:
Deputy Director Brady**

- Public testimony

6. NEW BUSINESS

A. Nomination and Election of Officers

- Public testimony

B. ADSL Deployment - Pacific Bell to present

- Public testimony

**C. TCI's Delay in Meeting High Demand of Service Requests
for New Digital CABLE Service: TCI to Present**

- Public testimony

7. CALENDAR MATTERS

8. PUBLIC COMMENT

9. ADJOURNMENT

COMMUNICATIONS RECEIVED MAY 12, 1998-JUNE 8, 1998:

1. Letter from AT&T dated May 21 (with attachments) regarding SBC/Pacific Bell advertising about the competition in the California local telephone service market.
2. Letter dated May 8, 1998, from Tamara Gould and Anne Etheridge introducing the Bay Area Video Coalition.
3. SHOWTIME Program Announcement

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5/98

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

MINUTES

MONDAY, JUNE 15, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410

REGULAR MEETING
5:30 P.M.

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COMMISSIONERS

E. David Ellington, President
Jan Masaoka, Vice President
Bonnie Engel
Ernest Jackson
John Lira

Jessica J. Josephson
DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

Tripta Gupta
Acting Commission Secretary

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President Ellington at 5:37 P.M.

Present: E. David Ellington
Ernest Jackson
John Lira
Jan Masaoka

Excused Absence: Bonnie Engel

2. Approval of the Minutes

Commissioner Jackson made a motion to adopt the minutes of the June 15 regular meeting. Commissioner Lira seconded the motion. The minutes were adopted unanimously.

3. Communications

President Ellington explained to those present that the communications listed were received by the members of the Commission.

4. Commissioners', Deputy Directors' and Director's Reports

A. Telecommunications Plan: Director Jessica Josephson

Director Josephson stated that a draft policy document has been prepared, which is being put together and will be distributed to the Commission in a few minutes. She requested the Commission to take a look at the document to see if this is the way we should go and asked if the Commission would comment on it.

President Ellington confirmed that Director Josephson is asking the Commission to review the document and give their comments to the staff preferably before the next Commission meeting. President Ellington reminded staff that the Telecommunications Plan is the first priority of the Commission.

Director Josephson said that the principles that were articulated by the Commission at the December 6th meeting have been taken into account, and policy suggestions in the draft document are based on those principles.

Commissioner Jackson asked if a timeline was included in this document, as requested by Vice President Masaoka in the last Telecommunications Commission meeting.

Director Josephson responded that the staff had put in "next steps" in the document. Staff has not been able to design a timeline for the completion of the project. They will be able to do so once they have received comments from the Commissioners.

Commissioner Jackson inquired what phase does Director Josephson call this document. Director Josephson responded that we are in the research phase. We are in the process of data gathering and fact finding.

Vice President Masaoka suggested moving this item to a later time on the agenda, since copies of the document had not arrived. Deputy Director Brady said that this item could be placed on the next Commission meeting agenda for discussion. President Ellington stated that by the next meeting he would like to see staff bring a real proposal based on the principles and feedback they get back from the Commissioners. He also hoped to see the timeline on the proposal.

Vice President Masaoka expressed her strongest disappointment that at the last Commission meeting, it had been stated that the proposal was nearly completed and would be finished at the end of the week at the latest and sent to the Commission. She stated that we still do not have a plan and reiterated that we do need to stay on schedule and move forward to complete this priority for the Commission. Commissioner Jackson concurred with Vice President Masaoka. He said he was looking for a proposal prior to this meeting. We have slipped our date with the Telecommunications Plan. The Plan is very important to the Commission. Even the phases need to be clearly identified as to where we are, and where we intend to be by the end of this year with this Plan.

B. PEG Update/Budget/Resolution: Deputy Director Brady

Deputy Director Brady reported that the most recent draft budget from CTC submitted to DTIS last Friday afternoon was immediately delivered to the Commissioners. Staff has not had adequate time to get their comments in, which they will do ASAP. The lease for the 9th and Brannan property would begin September 1. A supplemental appropriation will have to be submitted to the Board of Supervisors for this. Staff is aware of the timeline and is in touch with the Office of the Board of Supervisors in order to meet CTC's September 1 deadline. She added that when staff has completed review of the budget documents, they would feel comfortable in making recommendations. In answer to Vice President Masaoka and Commissioner Jackson's inquiry about when all this would be done, Deputy Director Brady said that we are setting aside two days to meet with SFCTC to review the business plan aspect of the budget. June 26th and another half day will be set aside for this purpose. Commissioner Jackson asked the Commission's permission to be involved in this process. The Commission agreed that Commissioners Engel and Jackson would participate in the session on June 26th.

The Commission asked that a special meeting be scheduled to resolve the budget issues. July 1 and July 2 were selected as tentative dates for this special meeting, dependent upon the availability of the room and the status of the budget review.

- Public Testimony

Zane Blaney, Executive Director of SFCTC, explained that a few changes have been made in the budget. A large portion of the \$4 million request is one-time expenditure. The budget was delayed for a number of reasons. SFCTC is willing to explain any portion of the budget request to staff and the Commission.

Cheryl Fabio-Bradford handed the Commissioners a narrative of the Education portion of the budget document. She explained that this narrative basically is a background and history of the Education channel.

Sybil Boutilier urged the Commission to move as quickly as they can with the budget, because PEG stands to lose \$675,000 as of July 1 from the renegotiated franchise agreement with TCI. This money will be available only this year.

Deputy Director Brady explained that under the franchise agreement, when TCI stops operating Public Access and the Public Access channel is being provided by the non-profit organization, then TCI will begin giving money to San Francisco. This amount is approximately \$450,000 annually.

Following statements from staff and Zane Blaney, President Ellington concluded that the issue is not "lost" funds. Rather, the issue is where the funds are going. The service (the channel) has been provided to the public. SFCTC is trying to have the funds flow through its organization for Public Access once the management of the channel is assigned to the Corporation.

Vice President Masaoka recognized that it has taken a considerable time to find a suitable site for the studio. She urged SFCTC to work together with DTIS to bring to the Commission something more reasonable without trying to find faults.

Aaron Vinck of SFCTC brought updated documents to the budget submitted to the Commission last Friday.

Michael Cousins, Chairman of the Board of SFCTC, pointed out the summary pages to the Commissioners to ease identification of budget materials.

Michael Freeman, SFCTC, expressed frustration about the length of time it is taking for the changes to take place and acknowledged the recent efforts of DTIS staff to assist SFCTC.

5. Old Business

A. Telecommunications and Information Technology Awards Program – Proposed Ordinance: Deputy Director Brady

Deputy Director Brady reported that there is an existing ordinance in the Administrative Code that references the Department of Electricity and Telecommunications, one of the departments merged to form DTIS. She is working with Deputy City Attorney Julia Friedlander and drafting

the necessary language to change the title and management of that fund. Deputy Director Brady said that with President Ellington's permission we would include a resolution endorsing the changes in the ordinance and urging the Board of Supervisors to make that change. Then, we will continue to work with Commissioner Jackson on the internal awards program at DTIS; expanding that on behalf of the Commission to include all City agencies.

President Ellington endorsed the idea to move forward. Vice President Masaoka stated she would like to see the ordinance in writing, preferably before the next Commission meeting.

6. New Business

A. Nomination and Election of Officers

Commissioner Jackson made a motion to nominate President Ellington as President of the Commission for next year. Vice President Masaoka seconded the motion. The nomination was approved with one abstention.

Vice President Masaoka made a motion to nominate Commissioner Jackson as the Vice President of the Commission for next year. President Ellington seconded the motion. The nomination was approved with one abstention. Vice President Masaoka praised Commissioner Jackson for doing a great job as a member of the Commission.

B. ADSL Deployment - Pacific Bell to present

Zoon Nguyen, of the External Affairs Division of Pacific Bell, introduced Senior Products Manager, Steve Darragh, who made the presentation. Mr. Darragh presented the Commission with a handout explaining the product, the communities being served currently and the plans for the future.

Mr. Darragh showed the maps with sites where this service is now available. He said that the Company would definitely consider any areas suggested by the Commission. Commissioner Jackson recommended the Bayview Hunters Point. President Ellington suggested that PacBell look at the plans for development in the area near the new stadium. He said that the Commission might ask for a progress report in a month. President Ellington stated that the Commission would be looking at ADSL as one of the technologies during the development of the Telecommunications Plan.

C. TCI's Delay in Meeting High Demand of Service Requests for New Digital CABLE Service: TCI to present

Doug Schultz, General Manager of TCI, reported that the product has been well received, and they have had a very high demand for the product especially in the City of San Francisco. He reported that currently they have 25 dedicated digital installers in San Francisco; and 3,193 pending orders. If someone were to call today for the digital installation, TCI will give a date of September 30 or later. Mr. Schultz stated that they are adding to the number of digital installers rapidly. Vice President Masaoka inquired if they had a timeframe that they were going to try to

meet by September when people will be down to one week from three months. Mr. Schultz replied that they are shooting for about a 20-day backlog by September 1.

Mr. Schultz reported that they are going to roll out a "self-install kit" to help with the backlog. It is a product that requires a user to hook up to their cable line and telephone line into the digital converter box. Vice President Masaoka inquired if it costs less to install yourself. Mr. Schultz said he did not know. Vice President Masaoka stated that she was tired of people not knowing answers. She suggested that if people install themselves, they should be charged less.

Commissioner Jackson said that a couple of people who have had their service disrupted because they may have forgotten to make a payment for the analog service were told that it will take over a week to get their service restored. Is this information accurate? Mr. Schultz said that the information is correct. The Company is currently about 7 days booked out on installation. There are two types of disconnect: (1) electronic disconnect if you have a Cable box – this is turned on instantly as soon as the payment is made. (2) Hard disk disconnect, where an installer may have disconnected a line. In this case, the Company has to send out an installer. This takes about a week. We are trying to get it down to two days. In response to Commissioner Jackson, Mr. Schultz said that there is a FCC fee of \$2.11 for re-connect. There is no charge for a service call.

5. Calendar Matters

President Ellington said that the Commission and staff have already discussed during the meeting tonight the items to be placed on next week's Commission meeting agenda.

Vice President Masaoka asked for three things: (1) the materials and reports be sent to the members of the Commission in advance of the meetings; (2) the packet of materials include significant clippings related to materials the Commission should be alerted about, and other items of concern; (3) a plan for monitoring franchise and FCC compliance by TCI.

Deputy Director Brady stated that the Office of the City Administrator is currently monitoring the performance of TCI, and satisfaction of its subscribers. This function will transfer to DTIS early next fiscal year (after July 1).

6. Public Comment

Margie Marks of the Communications Workers of America urged the Commission to try to keep and create jobs in the City during the process of developing the Telecommunications Plan. She said that she would like to know more about the 911 project and the phone system. President Ellington suggested that Ms. Marks contact Ms. Deborah Vincent-James, Staff Director of COIT, for information on the 911 project.

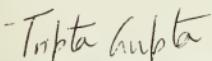
Oscar Cruz, ANS Communications, stated that his company would like to submit a proposal to the Commission, for their review and to automate some of the procurement processes for the City. President Ellington advised Mr. Cruz to set up an appointment with one of the deputies at DTIS.

Commissioner Jackson thanked the Commissioners for their support for electing him as the Vice President for next year. He thanked Vice President Masaoka for her kind comments.

9. **ADJOURNMENT**

The meeting was adjourned at 7:35 P.M.

Respectfully submitted,



Tripta Gupta, Acting Commission Secretary



**Department of Telecommunications and Information Services
City and County of San Francisco**

NOTICE

**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**Monday, July 20, 1998, 5:30 PM
The War Memorial Building
401 Van Ness Avenue, Room 410**

DOCUMENTS DEPT.

JUL 17 1998

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PUBLIC LIBRARY**

AGENDA

1. CALL TO ORDER AND ROLL CALL

Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira
Commissioner Jan Masaoka

Excused Absence: E. David Ellington, President

2. APPROVAL OF THE MINUTES

Adoption of the Minutes of June 15, 1998, Regular Meeting of the
Telecommunications Commission

- Public testimony

3. COMMUNICATIONS

See list at end of agenda

- Public testimony

4. COMMISSIONERS'/ DEPUTY DIRECTORS' REPORTS

A. Staffing Update: Deputy Director Denise Brady

- Public testimony

B. Telecommunications Plan: Deputy Director Brady

- Public testimony

5. OLD BUSINESS

A. PEG Budget

- Public testimony

B. Consideration and possible action to approve:

RESOLUTION URGING THE BOARD OF SUPERVISORS AND THE MAYOR TO APPROVE AN ORDINANCE AMENDING CHAPTER 10, ARTICLE XII OF THE SAN FRANCISCO ADMINISTRATIVE CODE, WHICH ESTABLISHED THE DEPARTMENT OF ELECTRICITY AND TELECOMMUNICATIONS AWARDS FUND, BY AMENDING SECTION 10.109-11 TO CHANGE THE DEPARTMENT OF ELECTRICITY AND TELECOMMUNICATIONS TO THE DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES, TO CHANGE THE GENERAL MANAGER OF THE DEPARTMENT OF ELECTRICITY AND TELECOMMUNICATIONS TO THE DIRECTOR OF THE DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES, AND TO ADD A RESTRICTION GOVERNING THE INTEREST EARNED FROM THE FUND.

- Public testimony

ACTION:

6. NEW BUSINESS

A. Proposal to split Area Code 415

- Public testimony

B. AT&T/TCI Merger: Deputy Director Brady to report

- Public testimony

7. CALENDAR MATTERS

8. PUBLIC COMMENT

9. ADJOURNMENT

COMMUNICATIONS RECEIVED JUNE 9, 1998-JULY 15, 1998:

1. Millennium Quarterly Newsletter, June 15, 1998
2. Package of published articles and clippings related to Commission business
3. Public Education, and Government (PEG) Access, Proposed Operations and Business Plans, DRAFT- revised July 12, 1998
4. Invitation, dated July 22, 1998, from The Commission on the Status of Women to attend its annual convention.
5. Letter from Mr. Barry Eisenberg, dated July , 1998, forwarding an article on and expressing his concerns about "...mobile phones can be hazzardous to health".

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**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

**MONDAY, JULY 20, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410**

**REGULAR MEETING
5:30 P.M.**

COMMISSIONERS

**E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka**

**Denise Brady
DEPUTY DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES**

**Bryan B. Addy
Acting Commission Secretary**

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by Vice President Jackson at 5:31 P.M.

Present: Bonnie Engel
 Ernest Jackson
 John Lira
 Jan Masaoka

Excused Absence: E. David Ellington

2. Approval of the Minutes of June 1998

Deputy Director Denise Brady advised the commission that two corrections needed to be made to the minutes of June, the first to correct the spelling of Michael Couzens's name, and the second to correct the spelling of Doug Schulz's name. Commissioner Engel moved to accepted the corrections and Commissioner Lira seconded the motion. Vice President Jackson moved that the minutes be adopted, and they were unanimously.

3. Communications

No items for discussion.

4. Commissioners' / Deputy Directors' Reports

A. Staffing Update: Deputy Director Denise Brady

Deputy Director Brady announced to the Commission that Director Jessica Josephson is no longer employed with the City and that her replacement should be expected soon. She stated that all of the Deputy Directors meet twice weekly to assure that DTIS business moves forward. In response to Vice President Jackson's question as to whether Directors' replacement would be permanent or interim, Deputy Director Brady stated that the Mayor's Office is making this decision, and that no decision has been made yet.

B. Telecommunications Plan: Deputy Director Denise Brady

A Telecommunications Plan Timeline and Sample Report had been previously sent to the Commissioners. Director Brady stated that this will be the format used to periodically update the Commission. Deputy Director Brady stated that some items in the timeline will be taking place at the same time, referring to this as the Critical Path. She assured the Commissioners' that detailed information pertaining to the Plan would be sent to them in an expedited manner. Deputy Director Brady answered Vice President Jackson's

question regarding an assigned Project Manager, by informing him that Ken Tashian of DTIS has been assigned this task. Vice President Jackson inquired about the frequency of the submission of the updates. Deputy Director Brady stated that she would like to discuss this at the next Commission meeting as well as presenting current and detailed information. Commissioner Lira asked Deputy Director Brady to explain "Contract/DTIS" in the report and she explained that some duties will be performed by DTIS employees and other duties will be performed by outside contractors. Deputy Director Brady stated that DTIS has interviewed some contractors, but no decision has been made to date. The goal of DTIS is to make a decision by October 21, 1998. Commissioner Masaoka stated that the Commission should have a significant role in selecting outside contractors and in determining the role that these contractors will have. Deputy Director Brady offered a information detailing the selection process for the Commissions' review and suggested that one of the Commissioners be a "point person" in this process. Vice President Jackson requested a list of tasks that outside contractors will perform. Deputy Director Brady advised Commissioner Jackson that a draft has been written and that the Commission should have it by the end of the month. Commissioner Engel suggested that information provided from previous consultants and partnerships be considered in the process. Commissioner Lira asked for a list of the former contractors and partnerships. Deputy Director Brady will see that Commissioner Lira gets that list.

5. Old Business

A. PEG Budget

Vice President Jackson stated that the PEG Budget item will be postponed to another date and suggested July 27, 1998 as the date to discuss and review the PEG Budget. Commissioner Lira advised Vice President Jackson that he will not be available on that date, and requested another date be selected. Vice President Jackson stressed the importance of having all Commissioners present and requested Deputy Director Brady to contact all of the Commissioners to set a date when all Commissioners can be present. Commissioner Engel asked what would be the outcome of the Special Meeting. Vice President Jackson advised that the meeting will be to review any resolutions forthcoming from the Mayor's Office, and to hopefully take action on the PEG Budget at that time. Commissioner Lira inquired as to why this item was being continued. Vice President Jackson stated that the Commission was not currently prepared to take action on this item. Commissioner Engel expressed appreciation for the hard work done by everyone involved.

Public Testimony

Supervisors Tom Ammiano and Sue Bierman both urged the Commission to pass the PEG budget.

Carl Bryant, Cynthia Christcole, Bill Fiore, Donnell Mack, David Miles and Jack Walsh urged the Commission to pass the PEG budget.

Ellen Elliott and Greg Richardson both stressed that Public Access should be available for all people, from all walks of life.

Zane Blaney and Michael Couzens both urged the Commission to pass the PEG budget.

Steve Zeltzer stated that Labor needs Public Access in order to have the same exposure that everyone else has.

Susan Kuchinskas and Don Roman both urged the Commission to pass the PEG budget.

Mark Freeman and Eve Harris stressed the importance of Public Access to the Community.

Ellison Horne stressed the need for non-profit organizations having full availability to Public Access.

Niels Erick and Lauree Walter Wadkins stressed the need for full City ownership of Public Access.

Cheryl Fabio Bradford stressed the need for Public Access and education and urged the Commission to pass the PEG budget.

Raymond Balberan and Julio Ramirez both feel that each neighborhood should have it's own individual Community Access Channel.

**B. Consideration and possible action to approve: Read by Acting
Commission Secretary Addy**

RESOLUTION URGING THE BOARD OF SUPERVISORS AND THE MAYOR TO APPROVE AN ORDINANCE AMENDING CHAPTER 10, ARTICLE XII OF THE SAN FRANCISCO ADMINISTRATIVE CODE, WHICH ESTABLISHED THE DEPARTMENT OF ELECTRICITY AND TELECOMMUNICATIONS AWARDS FUND, BY AMENDING SECTION 10.109-11 TO CHANGE THE DEPARTMENT OF ELECTRICITY AND TELECOMMUNICATIONS TO THE DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES, TO CHANGE THE GENERAL MANAGER OF THE DEPARTMENT OF ELECTRICITY AND TELECOMMUNICATIONS TO THE DIRECTOR OF THE DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES, AND TO ADD A RESTRICTION GOVERNING THE INTEREST EARNED FROM THE FUND.

Comment

Commissioner Lira expressed his total support for this resolution.

Action

Commissioner Lira moved to approve this resolution, and Commissioner Engel seconded the motion. The resolution was approved by the Commissioners' unanimously.

6. New Business

A. Proposal to split Area Code 415: Deputy Director Brady

Deputy Director Brady explained the process of how area code splits work. The Telecommunications act of 1996 directed the FCC to designate an Impartial Numbering Administrator to make telephone numbers available in an equitable manner. Lockheed Martin designated at the North American Numbering Plan Administrator (NANPA). They state that the availability of phone numbers will be exhausted by the second quarter in the year 2000. NANPA will begin recommendations on relief alternatives to the local jurisdictions in the 415 Area Code. It will take up to two years of meetings with local jurisdictions and then there will have to be review by the California Public Utilities Commission, and the Federal Communications Commission. Deputy Director Brady also stated that there most likely will be a public hearing with the Board of Supervisors as well as the FCC and PUC. She will provide most current information on this process to the Commissioners on a month to month basis. To date the Director of DTIS, the Board of Supervisors, the Mayor's Office and the City Administrator have been invited to a meeting with NANPA. Vice President Jackson inquired who with the city would have input in the final decision process. Deputy City Attorney Friedlander stated that she probably would be involved, but most likely the City Administrator would have the main input.

B. AT&T / TCI Merger: Deputy Director Brady

Deputy Director Brady explained the contents of a letter dated June 24, 1998 and a press release on the same date describing the merger between TCI and AT&T. Deputy Director Brady explained that the merger would have to be approved by the shareholders of both companies and by the Regulatory Authorities. This merger will combine AT&T's Consumer Long Distance and Wireless and Internet services with TCI's Cable Telecommunications and High Speed Internet Service to create a new subsidiary known as AT&T Consumer Services. Deputy Director Brady will give the Commissioners the most current information on this merger as it becomes available.

7. Calendar Matters

Vice President Jackson requested a Special Meeting to review the PEG Budget and that all Commissioners be present, also that a representative from the City Attorney's office be present.

8. Public Comment

Mr. Leland Francois suggested that all FCC documentation be available to the public. Vice President Jackson stated that the Public Library Government Documents department has this information, and that it is also available on the Internet.

9. Adjournment

Vice President Jackson adjourned the meeting at 7:57 p.m.

Respectfully submitted,



Bryan B. Addy
Acting Commission Secretary

1 [Department of Telecommunications Awards Fund]
2 AMENDING CHAPTER 10, ARTICLE XIII OF THE SAN FRANCISCO ADMINISTRATIVE
3 CODE, WHICH ESTABLISHED THE DEPARTMENT OF ELECTRICITY AND
4 TELECOMMUNICATIONS AWARDS FUND, BY AMENDING SECTION 10.109-11 TO
5 CHANGE THE DEPARTMENT OF ELECTRICITY AND TELECOMMUNICATIONS TO THE
6 DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES, TO
7 CHANGE THE GENERAL MANAGER OF THE DEPARTMENT OF ELECTRICITY AND
8 TELECOMMUNICATIONS TO THE DIRECTOR OF THE DEPARTMENT OF
9 TELECOMMUNICATIONS AND INFORMATION SERVICES, AND TO ADD A RESTRICTION
10 GOVERNING THE INTEREST EARNED FROM THE FUND.

11 Note: Additions are underlined; deletions are in ((double parentheses)).

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Chapter 10, Article XIII of the San Francisco Administrative Code is hereby
14 amended by amending Section 10.109-11, to read as follows:

15 SEC. 10.109-11. DEPARTMENT OF ((ELECTRICITY AND))
16 TELECOMMUNICATIONS AND INFORMATION SERVICES AWARDS FUND;
17 ESTABLISHMENT OF FUND; ACCEPTANCE OF GIFTS; AUTHORIZATION TO EXPEND;
18 INTEREST; AND ACCRUAL OF MONIES IN FUND.

19 (a) Establishment of Fund. There is hereby established a special fund in the Treasury of the
20 City and County of San Francisco to be known as the Department of ((Electricity and))
21 Telecommunications And Information Services Awards Fund for the purpose of receiving all
22 donations of money, property and personal services which may be offered to the City and
23 County of San Francisco through the Department of ((Electricity and)) Telecommunications
24 And Information Services for the use and benefit of the Department of ((Electricity and))
25 Telecommunications And Information Services Awards Program.

DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
BOARD OF SUPERVISORS

(b) Acceptance of Gifts. All donations of money, property and personal services which may from time to time be offered to the City and County of San Francisco for the use and benefit of the Department of ((Electricity and)) Telecommunications And Information Services Awards Program are hereby accepted for such purposes.

(c) Authorization to Expend. Money, property and personal services comprising the Department of ((Electricity and)) Telecommunications And Information Services Awards Fund shall be used and expended solely for purposes of the Department of ((Electricity and)) Telecommunications And Information Services Awards Program and all such expenditures shall be authorized by the ((General Manager)) Director of the Department of ((Electricity and)) Telecommunications And Information Services.

(d) Interest. Interest earned from the Department of Telecommunications And Information Services Awards Fund shall become part of the principal and shall not be drawn from the fund for any purpose other than that for which the fund is established.

(d) Accrual of Monies in Fund. Any unexpended balances remaining in the fund at the close of the fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.306 of the Charter and shall be carried forward and accumulated in the fund for the purposes recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Jayne C. Lee
Jayne C. Lee
Deputy City Attorney

DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
BOARD OF SUPERVISORS



**Department of Telecommunications and Information Services
City and County of San Francisco**

NOTICE

**SPECIAL MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**Monday, July 27, 1998, 5:30 PM
The War Memorial Building
401 Van Ness Avenue, Room 410**

DOCUMENTS DEPT.

JUL 24 1998

SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner Jan Masaoka
Excused Absence: Commissioner John Lira

2. PEG BUDGET: Consideration and possible action to approve:

URGING DTIS TO: 1) DEVELOP A PROPOSED PEG PLAN AND BUDGET THAT MAXIMIZES THE EFFICIENT USE OF PEG RESOURCES AND PROPOSES MINIMAL USE OF GENERAL FUND MONIES; 2) WORK WITH THE MAYOR'S OFFICE AND ANY RELEVANT DEPARTMENT HEADS TO IDENTIFY ANY FACILITY OWNED BY THE CITY, THE SCHOOL DISTRICT OR THE COMMUNITY COLLEGE DISTRICT THAT COULD BE USED FOR A PEG ACCESS / MULTIMEDIA CENTER; 3) INITIATE THE PROCESS TO PROCURE THE PEG ACCESS PRODUCTION VAN FOR WHICH FUNDING IS PROVIDED IN THE 1997 TCI FRANCHISE AMENDMENTS; AND 4) REPORT BACK TO THE COMMISSION ON THESE MATTERS AT THE SEPTEMBER 21 COMMISSION MEETING; AND DECLINING TO APPROVE THE PEG BUDGET AND BUSINESS PLAN RECOMMENDED BY THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION AND THE OPERATORS OF THE EDUCATION CHANNEL (CHANNEL 52).

- Public testimony

ACTION:

3. CALENDAR MATTERS

-Public Testimony

4. ADJOURNMENT

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

DISABILITY ACCESS

Room 410 is wheelchair accessible. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #5 Fulton, #21 Hayes, #42 Downtown Loop, #47 Van Ness, #49 City College lines and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142. There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. Assistive listening devices are available for use and the following services are available upon request 48 hours in advance of this meeting. For American Sign Language interpreters, use of a reader during a meeting or a large-print copy of an agenda, contact Tripta Gupta at (415) 554-0802.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

Telecommunications Commission

**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

**MONDAY, JULY 27, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410**

**SPECIAL MEETING
5:30 P.M.**

COMMISSIONERS

**E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka**

**DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES**

**Bryan B. Addy
Acting Commission Secretary**

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President Ellington at 5:33 P.M.

Present: E. David Ellington, President
Bonnie Engel
Ernest Jackson, Vice President
Jan Masaoka

Excused Absence: John Lira

2. PEG Budget: Consideration and possible action to approve: Read by President Ellington

URGING DTIS TO; 1) DEVELOP A PROPOSED PEG PLAN AND BUDGET THAT MAXIMIZES THE EFFICIENT USE OF PEG RESOURCES AND PROPOSES MINIMAL USE OF GENERAL FUND MONIES; 2) WORK WITH THE MAYOR'S OFFICE AND ANY RELEVANT DEPARTMENT HEADS TO IDENTIFY ANY FACILITY OWNED BY THE CITY, THE SCHOOL DISTRICT OR THE COMMUNITY COLLEGE DISTRICT THAT COULD BE USED FOR A PEG ACCESS / MULTIMEDIA CENTER; 3) INITIATE THE PROCESS TO PROCURE THE PEG ACCESS PRODUCTION VAN FOR WHICH FUNDING IS PROVIDED IN THE 1997 TCI FRANCHISE AMENDMENTS; AND 4) REPORT BACK TO THE COMMISSION ON THESE MATTERS AT THE SEPTEMBER 21 COMMISSION MEETING; AND DECLINING TO APPROVE THE PEG BUDGET AND BUSINESS PLAN RECOMMENDED BY THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION AND THE OPERATORS OF THE EDUCATION CHANNEL (CHANNEL 52).

Commissioner Masaoka asked President Ellington if any additions had been made to the resolution since it was first reviewed by the commissioners. President Ellington confirmed that there had been additions to the resolution. Commissioner Engel commented that Ordinance 293-96, Section 11.50, Section B, the Telecommunications Enabling Ordinance, provides that within the limits of preemptive Federal and State Law, that the public and education should have access to video programming channels. Commissioner Engel stated that the creation of the Telecommunications Commission and the re-negotiated Cable Franchise with TCI presents a historic occasion for citizens to have access to free or very low cost video production for purposes of free speech and expression, as well as educational opportunities via Cable Television.

Commissioner Engel suggested that the PEG budget presented at the July 20, 1998 Commission meeting should be submitted to the Board of Supervisors, requested that further review of this issue be postponed to a date that all of the Commissioners and Deputy Director Brady could be present. Both Commissioner Engel and Masaoka stated that postponing review of this issue to the September Commission meeting would be acceptable to them. Commissioner Masaoka requested clarification of the reason for the postponement, and Commissioner Engel responded that she thought that the wording in the resolution was inappropriate and that time was needed to amend the proposal in wording. President Ellington asked DTIS staff if postponing the hearing would be acceptable to them. Deputy Director Colchado stated that a postponement would be acceptable to the DTIS staff.

Public Testimony

Brad Benson, June Gutfleisch, Susan Kuchinskas and Cheryl Fabio-Bradford all stated that they were in favor of postponing action of the PEG Budget until the September Commission Meeting so that appropriate revisions can be made to help pass the PEG Budget.

Steve Zeltzer, Raymond Balberan and Julio Ramirez advised the Commissioners that the public needs more involvement in the creation of a PEG Budget.

Zane Blaney stated that he would be in favor of postponing action on the PEG budget until the September Commission meeting so that it could get appropriate review by all parties involved.

Ronald Bermudez urged the Commission to pass the PEG Budget and stressed the importance of Public Access to all people of the community.

Greg Richardson suggested to the Commissioners that an outside management group be used in the preparation of the PEG Budget.

Catherine Knolls stated that she was in favor of postponing action on the PEG Budget until the September meeting and urged the City to be more involved with Public Access.

Vice President Jackson inquired if the "9th and Bryant" building site was still a feasible prospect, or if Brooks Hall would be a better site. President Ellington stated that he felt that the building housing the PEG studio should be owned by the City, and that Brooks Hall is owned by the City.

Action

Commissioner Engel moved to postpone action on the PEG Budget until the September 21, 1998 meeting, and that revisions be made to the resolution. Commissioner Masaoka seconded the motion. The motion was passed unanimously.

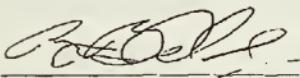
3. Calendar Matters

At Commissioner Engel's request, there will be a full PEG presentation at that meeting. The Commission will not meet in August.

4. Adjournment

President Ellington adjourned the meeting at 7:33.

Respectfully submitted,



Bryan B. Addy
Acting Commission Secretary

URGING DTIS TO: 1) DEVELOP A PROPOSED PEG PLAN AND BUDGET THAT MAXIMIZES THE EFFICIENT USE OF PEG RESOURCES AND PROPOSES MINIMAL USE OF GENERAL FUND MONIES; 2) WORK WITH THE MAYOR'S OFFICE AND ANY RELEVANT DEPARTMENT HEADS TO IDENTIFY ANY FACILITY OWNED BY THE CITY, THE SCHOOL DISTRICT OR THE COMMUNITY COLLEGE DISTRICT THAT COULD BE USED FOR A PEG ACCESS / MULTIMEDIA CENTER; 3) INITIATE THE PROCESS TO PROCUREMENT THE PEG ACCESS PRODUCTION VAN FOR WHICH FUNDING IS PROVIDED IN THE 1997 TCI FRANCHISE AMENDMENTS; AND 4) REPORT BACK TO THE COMMISSION ON THESE MATTERS AT THE SEPTEMBER 21 COMMISSION MEETING; AND DECLINING TO APPROVE THE PEG BUDGET AND BUSINESS PLAN RECOMMENDED BY THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION AND THE OPERATORS OF THE EDUCATION CHANNEL (CHANNEL 52).

WHEREAS, in January, 1997, the Board of Supervisors approved amendments to the TCI cable television franchise agreement under which TCI agreed to transfer control over the public access channel (Channel 53) from TCI to a non-profit corporation designated by the Board of Supervisors on a date to be specified by the Board of Supervisors; and

WHEREAS, in January, 1997, the Board of Supervisors approved amendments to the TCI franchise agreement under which TCI has provided capital grants and gifts to the City totaling \$1.564 million to support public, educational, and government access ("PEG access") cable television in San Francisco (including \$400,000 to build a public access studio outside TCI's premises; \$764,000 to purchase equipment; \$200,000 to equip the studio at the Main Library and \$200,000 to purchase a mobile video production van); and

WHEREAS, in January, 1997, the Board of Supervisors approved amendments to the TCI franchise agreement under which TCI provided a one-time payment of \$75,000 to facilitate transfer of control over the public access channel from TCI to the designated non-profit corporation and under which TCI must make annual grants of more than \$450 thousand per year to support PEG access operating costs, commencing on the date when management of the public access channel is transferred to a nonprofit corporation and extending until the TCI franchise agreement expires in December, 2005; and

WHEREAS, on May 30, 1997, the Board of Supervisors adopted Resolution Number 507-97 which identified the San Francisco Community Television Corporation ("SFCTC") as the non-profit corporation to manage the public access channel "as soon as it is practical for the City and the San Francisco Community Television Corporation to negotiate the terms of an agreement to operate the channel;" and

WHEREAS, the SFCTC has stated that the TCI public access facilities at 1855 Folsom Street are too small, generally inadequate to meet the needs of public access producers, and inaccessible to people with disabilities; and

WHEREAS, it is not practical for the City and the SFCTC to enter into an agreement for operation of the public access channel until: 1) a suitable site for public access operations has been located, and 2) the SFCTC has developed a reasonable business plan that is acceptable to the City; and 3) any necessary funding in excess of the TCI grants has been approved by the Mayor and the Board of Supervisors or secured from sources other than the City; and

WHEREAS, on May 15, 1998, the Board of Supervisors and the Mayor appropriated \$75,000 to the SFCTC to cover planning and start-up costs to facilitate transfer of control over the public access channel from TCI to the SFCTC; and

WHEREAS, the Department of Real Estate identified 13,000 square feet of space in a privately owned building located at 1090 Bryant Street which the SFCTC wishes to lease for use as the City's public access facility; and

WHEREAS, the SFCTC has identified no source of funds to procure this space other than the TCI grants and general fund monies and therefore proposes to use TCI grant funds and City general fund monies to lease 1090 Bryant Street; and

WHEREAS, on July 7, 1998, the SFCTC executed a seven year lease agreement for the building at 1090 Bryant Street which the SFCTC may cancel at any time prior to September 30, 1998; and

WHEREAS, the SFCTC needs to know whether the City will provide funding to support the lease of and improvements to the building at 1090 Bryant Street in order to exercise its option to cancel the lease; and

WHEREAS, on July 12, 1998, the SFCTC and the operators of the education channel (the San Francisco Unified School District and San Francisco Community College District) submitted to DTIS a draft and on July 20 submitted to DTIS a final Proposed Operations, Capital and Business Plan for 1998-2000 ("Business Plan") which requests City funding for 1) a public access production facility at 1090 Bryant Street; 2) a mobile video production van for use by the PEG channels; 3) equipment and operating costs to expand government channel (Channel 54) operations; and 4) equipment and operating costs for use by the San Francisco Community College District and the San Francisco Unified School District for the educational access channel (channel 52); and

WHEREAS, the Business Plan preliminarily estimates that buildout costs for 1090 Bryant Street will amount to \$2.4 million, not including "soft" construction costs such as design services, permitting costs, and utility service extensions, and the SFCTC has hired a consultant to develop detailed plans and cost projections; and

WHEREAS, the Business Plan proposes video production equipment costs for the public access facility of more than \$2 million in the first year or \$1,236,000 in excess of the TCI grant for PEG equipment; and

WHEREAS, the Business Plan proposes that the City purchase, equip and operate a mobile video production van, including a complete mobile control room that would enable the PEG channels to produce live programming from any location, at a total cost of \$584,230 or \$384,230 in excess of the TCI grant provided for a video production van; and

WHEREAS, the Business Plan proposes a capital and operations budget for FY 1998-99 in the amount of \$1,228,244 for the Government Channel (Citywatch, Channel 54), of which \$444,819 has already been appropriated by the Board of Supervisors in the current budget, \$200,000 would be requested from the TCI grant for the studio at the Main Library and \$578,283 would be requested from general fund monies; and

WHEREAS, the Business Plan proposes FY 1998-99 annual operating costs for the proposed public access facility at 1090 Bryant Street of approximately \$725,000, of which approximately \$48,000 has already been appropriated by the Board of Supervisors in the current budget, and proposes, beginning in FY 1999-2000, operating costs of approximately \$1.3 million annually; and

WHEREAS, the Business Plan proposes \$219,671 in new capital and operating funding for the education channel (Channel 52) of which approximately \$48,000 has already been appropriated by the Board of Supervisors in the current budget and \$171,671 would come from TCI grants and general funds monies; and

WHEREAS, the Business Plan proposes funding for the public access channel for FY 1998-99 totaling \$5,133,327, of which \$1,566,250 would come from TCI grants and \$3,567,077 would come from general fund monies; and

WHEREAS, approval of the Business Plan would require the Mayor and Board of Supervisors to approve a supplemental Appropriation of approximately \$6.5 million, of which approximately \$4.6 million would come from general fund reserves, and the Mayor and Board of Supervisors have indicated that the

general fund reserves are available only for extraordinary needs and circumstances; and

WHEREAS, the Business Plan supports operation of separate PEG access facilities in at least six locations (including the Main Library, the newly renovated City Hall, the Community College District, the San Francisco Unified School District, 1090 Bryant Street and a remote studio operation out of the mobile production van); and

WHEREAS, construction of the proposed separate public access studio on privately owned property would require the City to invest millions of dollars in unusually expensive improvements to a building that would not be owned by the City; and

WHEREAS, the Business Plan proposes a van with capabilities that were not contemplated when the Board of Supervisors approved the 1997 franchise amendments at a cost more than twice the amount granted for a mobile video production van; and

WHEREAS, the Business Plan proposes expansions to the Government Channel that the Department believes are not critical at this time; and

WHEREAS, the Business Plan proposes to use \$50,000 in money granted to the City by TCI for the wiring of public buildings to expand and improve the Education Channel at both School District facilities and Community College District facilities and therefore could interfere with the City's ability to meet building wiring needs; and

WHEREAS, the PEG access channels are an important resource to the City and its residents because the public access channel provides a first amendment forum for use by residents who do not typically have access to mass media, because the education channel enables the City's educators to distribute educational material to a wide audience, and because the government channel encourages civic participation by making the City's decision-making process more widely accessible to the public; and

WHEREAS, the City has not historically taken full advantage of the potential resource the PEG access channels offer to the community, and the amendments to the TCI franchise approved by the Board of Supervisors in 1997 give the City an important opportunity to take fuller advantage of this resource; and

WHEREAS, the Business Plan does not encourage the most efficient use of PEG resources, does not take advantage of all opportunities to achieve economies of scale, proposes to invest large sums of public monies in privately owned real estate, and relies far too heavily on general fund support; and

WHEREAS, publicly owned facilities that were previously considered and rejected for use as a PEG access facility may now be available for such purposes; now, therefore be it

RESOLVED, that the Commission urges DTIS to develop a PEG Access plan and budget proposal that maximizes the efficient use of existing PEG resources and minimizes proposed use of general fund monies; and be it further

RESOLVED, that the Commission urges DTIS to work with the Mayor's office to identify whether any facility owned by the City, the School District or the Community College District could be developed for use as a PEG access television / community access multimedia center and, if so, to develop a feasibility plan for the development of any such facility; and be it further

RESOLVED, that the Commission urges DTIS to immediately initiate the process to procure the PEG Access production van at a funding level not to exceed the \$200,000 grant provided in the 1997 TCI franchise amendments; and be it further

RESOLVED, that the Commission urges DTIS to report back to the Commission on these matters at the regular Commission meeting scheduled for September 21, 1998; and be it further

RESOLVED, that the Commission declines to approve the PEG budget and Business Plan recommended by the San Francisco Community Television Corporation and the operators of the educational channel.

Approved by the Telecommunications Commission:

Ayes: _____

I hereby certify that the foregoing resolution was approved by the San Francisco Telecommunications Commission.

Date Approved

Commission Secretary



Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, September 28, 1998, 5:30 PM
The War Memorial Building
401 Van Ness Avenue, Room 410

AGENDA

DOCUMENTS DEPT.
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PUBLIC LIBRARY

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner Jan Masaoka
Commissioner John Lira

2. APPROVAL OF THE MINUTES

Adoption of the Minutes of the July 27, 1998 Special Meeting of the
Telecommunications Commission

- Public testimony

3. COMMUNICATIONS

See Attachment

4. DIRECTOR'S REPORT

Acting Director, Julia M.C. Friedlander

- Public testimony

5. OLD BUSINESS

- A. Discussion of Commission's Priorities: President E. David Ellington
 - Public testimony
- B. Implementation Proposal for Development of City's Telecommunications Plan:
Acting Director Friedlander
 - Public testimony
- C. PEG Access Update: Acting Director Friedlander
 - Public testimony
- D. 415 Area Code Split: Deputy Director Denise Brady
 - Public testimony
- E. TCI Service Request Backlog - Update
 - Public testimony
- F. Alternative Community Television Access Plan:
Proposed and presented by the San Francisco Media Arts Consortium
 - Public testimony

6. NEW BUSINESS

- TCI / AT & T Merger: Acting Director Friedlander
 - Public testimony

7. CALENDAR MATTERS

- Public Testimony

8. PUBLIC COMMENT

9. ADJOURNMENT

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

DISABILITY ACCESS

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

**MONDAY, SEPTEMBER 28, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410**

**REGULAR MEETING
5:30 P.M.**

COMMISSIONERS

**E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka**

**Julia M. C. Friedlander
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES**

**Bryan B. Addy
Acting Commission Secretary**

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by Vice President Jackson at 5:30 P.M.

Present: E. David Ellington, President
Bonnie Engel
Ernest Jackson, Vice President
John Lira
Jan Masaoka

2. Approval of the Minutes of July 20, 1998 and July 28, 1998

Deputy Director Denise Brady advised the Commissioners that both the minutes of July 20, 1998, and July 28, 1998 needed to be approved. President Ellington moved to adopt the minutes of both dates and Commissioner Lira seconded the motion. The minutes of both dates were adopted unanimously.

3. Communications

A document entitled Community Television Access Plan 2000 was presented to the Commissioners by Raymond Balberan and Julio Ramirez detailing a plan for satellite Public Access channels in each of the City's individual neighborhoods.

4. Director's Report

Acting Director Friedlander introduced herself as the new Acting Director for the Department of Telecommunications and Information Services, and stated that it was an honor to be chosen for this position by the Mayor. Acting Director stated that she was on an acting position until a permanent Director is selected, but stated that she will be in the position for most of the current fiscal year. Acting Director Friedlander reminded the Commissioners that she has been closely involved with the department as a Deputy City Attorney. While detailing her background with the City, Acting Director Friedlander stated that she had been with the City Attorney's Office for 6 years and 4 of those years were dedicated to telecommunications issues, and was looking forward to getting involved with the information side of the department.

Acting Director Friedlander stressed her concerns for the past instability with DTIS, and that she looked forward to providing leadership to the department and to have it function with total stability. Acting Director Friedlander stated that the employees of DTIS were dedicated and talented people and stated that she wants to revise the Employee Recognition Program to involve input from other client departments, as well as from the Telecommunications Commission.

While detailing her priorities, Acting Director Friedlander stated that a completed Telecommunications Plan for the City should be available within the current fiscal year, and to provide the Commissioners with a list of telecommunications issues to be addressed. The issues include high speed telecommunications services, the state of the telecommunications market in San Francisco, the needs of business and residential telecommunications consumers, how the City can use high speed telecommunications services to deliver government services and improve access to City government, how will a telecommunications infrastructure affect the City's environment, and what role the City should play in evolving a telecommunications market. Acting director Friedlander expressed the need for the passage of a PEG budget within the current fiscal year. Acting director Friedlander stressed the importance of DTIS, involvement with the installation of voice and data networks in the new City Hall, getting all departments through out the City connected together. Acting Director Friedlander stressed the importance of DTIS involvement in the installation of voice and data networks in the new 911 facility that will be opening in the fall of 1999. Acting Director Friedlander stated that Citywide Y2K compliance is of the greatest priority and stressed the importance of DTIS involvement with Y2K project.

Commissioner Lira asked Acting Director Friedlander what DTIS's actual involvement with Y2K was. Acting Director Friedlander responded by stating that DTIS is active in educating other departments on Y2K issues, and that the results from a Citywide survey that identifies the status of Y2K efforts of other departments will be presented to COIT, as well as the Commission. President Ellington suggested that a Y2K "Czar" should be appointed to oversee Y2K compliance with all City departments. Commissioner Masaoka requested that DTIS give the Commission brief updates on the progress of the departments priority projects. Vice President Jackson expressed the need for DTIS having the necessary budget to operate. Commissioner Lira and President Ellington reminded Acting Director that the year 2000 is just months away and the importance of the City being fully compliant with Y2K.

5. Old Business

A. Discussion of Commission's Priorities

President Ellington stressed the importance of having a Telecommunications Plan in place. President Ellington stated that he would like to see the Citywide implementation of broadband communications. President Ellington stressed the importance of completing all Y2K projects and stressed the importance of the Commission giving full support to DTIS in all of its priority projects. Commissioner Masaoka asked President Ellington what would be the importance of broadband communications. President Ellington responded by stating that there is a high demand by small businesses and consumers for this form of communication and that this form of communication would be good for economic growth within the City.

B. Implementation Proposal for Development of City's Telecommunications Plan

Acting Director Friedlander stated that a consultant was hired one year ago to work on the development of a Telecommunications Plan, and that the consultant's efforts didn't work out. Acting Director Friedlander stated that the creation of a working Telecommunications Plan will take much research time and that DTIS should hire more consultants on a smaller project basis to put together a Draft Discussion Document to be discussed at future Commission meetings between November 1998 and April 1999. Acting Director Friedlander reviewed her Questions to be Addressed by the City's Telecommunications Plan with the Commissioners and advised them that these questions can be individually reviewed at future Commission meetings and that the Commission should request public comment at these meetings. Commissioner Masaoka inquired as to how each of the questions should be reviewed. Acting Director Friedlander answered by stating that outside consultants and DTIS should work together on this task. Commissioner Masaoka asked if other departments could be involved other than DTIS. Acting Director Friedlander advised the Commission that other departments would be welcome in the review process. Commission Lira expressed concern that the whole process of developing a Telecommunications Plan was starting from scratch. Acting Director Friedlander responded that the issues being addressed are issues reflecting the market place of the future, and stressed the importance of reviewing these issues. Acting Director Friedlander suggested each question in her list be individually reviewed per Commission meeting, and in June 1999 start consolidating the issues into a final plan. Commissioner Masaoka requested material for discussion be made available to the Commission, and the public, one week in advance. Commissioner Engel expressed concern as to what would be City policy and what would be Public policy and suggested that this issue be addressed.

Public Testimony

Steve Zeltzer stated that public telecommunications issues should be decided by the citizens of San Francisco, and not be decided by private consultants.

Comment

Commissioner Engel agreed that the public should have input into telecommunications issues.

C. PEG Access Update

Acting Director Friedlander reported to the Commission that a promised \$200,000 grant had been received from TCI for the purchase of a Mobile Production Van, and that DTIS has prepared a purchase order for the van. Acting Director Friedlander also reported that Mayor Brown had approved a portion of Brooks Hall for Public Access facilities, and that this project is called The Mayor's Center for Advanced Technology (M-CAT). Acting Director Friedlander stated that the M-CAT will have three components, the first will be a

Public Access facility for use by the City and the PEG Access Channels, the second will be a Multi-media Technology and Training facility. The training facility will be available for a welfare training program and should help fill entry level job positions within the center. The third component will be an incubator for a start up Multi-media Technology facility. Acting Director Friedlander stated that DTIS has started the process of working with the Bureau of Architecture in the Department of Public Works to create a construction plan, and that a finance plan will follow soon. Acting Director Friedlander stated that discussion will take place between SFCTC, the School District and the Community College District to incorporate the needs of the PEG channels into the new facility. President Ellington and Commissioner Engel suggested reaching out to the Community for further funding for the new facility.

Public Testimony

Mike Freeman stated that he felt a combined facility for Government, Public Access and Education channels will not be sufficient. He also stated that more funding should be used for the purchase of a Mobile Production Van.

Ronald Bermudez stated that the staff of the Public Access channels should the authority to make the policies regarding their channels.

Cynthia Christcole complained that the current Public Access facility does not have disability access.

Michael Couzens stated that converting Brooks Hall into a Public Access facility would take too long and cost too much money.

Suzanne Kory stated that the Education Channel should remain on the campus of City College.

Comment

President Ellington and Vice President Jackson urged Acting Director Friedland to involve the Commission and the PEG channels in all decision making processes. Vice President Jackson requested detailed information on the equipment that will go into the new van and suggested that this be discussed at the next commission meeting. All Commissioners expressed their satisfaction in the acquisition of Brooks Hall.

D. 415 Area Code Split

Deputy Director Brady stated that the California Public Utilities Commission had held two public meetings to discuss three options for splitting up the 415 area code. The first option would split San Francisco into two area codes, and allowing all of Marin County to remain in the 415 area code. The second option would be splitting San Francisco into two area codes, and giving all of Marin County the newer area code. The third option would be to

offer a new area code as an overlay, meaning that all new phone customers would be assigned the new area code. Deputy Director Brady stated that with the overlay option, current 415 area code customers will be able to keep their current telephone numbers. Deputy Director Brady stated that most of the people present at the CPUC meetings were from Business Associations who favored the overlay option. Deputy Director Brady stated that the City will be informing the citizens of San Francisco of these options and will offer further discussion on this matter. Vice President Jackson inquired as to how the City should inform its citizens of these options. Deputy Director Brady stated that DTIS would begin to contact neighborhood associations and that one of the California Public Utilities Commission meetings is to be broadcasted on channel 54. Vice President Jackson suggested that public service announcements be run on commercial TV and radio stations. Deputy Director stated that DTIS would look into running public service announcements on commercial stations and advised the Commission that all public comments have to be received by the CPUC by October 16, 1998. Commissioner Engel asked for a report on rate proposals, and proposed changes in telephone service after the area code split. Deputy Director Brady stated that a report would go to the Commission within a week, and stated that rates would not be effected by the area code split. Commissioner Lira inquired as to what changes would occur in dialing phone numbers after the area code split. Deputy Director Brady stated that if the overlay plan goes into effect, all calls would have to be dialed as 11 digit numbers instead of 7 digit numbers.

Comment

Teresa Aguilar stated that the area code split issue was confusing to many people.

Commissioner Lira expressed concern that people who speak other languages will not understand the process of an area code split, and that they should be properly informed on the issue. Commissioner Lira stated that citizens who speak other languages should be able to comment on this issue.

E. TCI Service Request Backlog - Update

Doug Schulz of TCI described the new digital cable service that was introduced in April 1998, and that due to the high volume of request for this service, there was a 60 day backlog in the first few months. Mr. Schulz stated that now service requests are completed within 9 days for new customers, 23 days for upgrade customers, and 4 days to upgrade from analog cable service. Mr. Schulz stated that there have been 8,200 cable installations since April. Vice President Jackson inquired as to how missed or late appointments are handled. Mr. Schulz stated that those customers should get a \$20.00 credit on their service, but that it is not TCI's policy to miss appointments. Commissioner Masaoka inquired as to the number of installations that have been performed by customers with the self install kits offered by TCI. Mr. Schulz stated that approximately 300 have been installed. President Ellington asked Mr. Schulz how customers can file complaints. Mr. Schulz stated that there is a telephone number to the City on every customer's bill and, that they can contact the Federal Communications Commission, or that they can contact him.

Vice President Jackson asked Deputy Director Brady the number of complaints that have been received by the City. Deputy Director Brady stated that she had not received any, but the City Administrator is the person who receives the calls at present. Vice President Jackson requested Deputy Director Brady if she could report this information to the Commission at the next meeting. Deputy Director Brady stated that she would research this information for the next meeting. Deputy Director Brady advised the Commission that DTIS will be taking over this task of receiving the TCI complaint calls in the near future. Commissioner Engel suggested that a log of complaints be kept and that a report be given to the commissioners as a regular report at each Commission Meeting. Commissioner Masaoka requested that DTIS monitor TCI compliance with the franchise agreement and with FCC regulations and that a report be submitted to the Commission on a regular basis.

F. Alternative Community Television Access Plan
Proposed and presented by the San Francisco Media Arts Consortium

Raymond Balberan stated that Cable and Satellite Media Service Centers must be created to assure the future of Public Access. Mr. Balberan stated that Public Access should be decentralized and placed in the control of the individual neighborhoods within the City. These centers would be separate Public Access facilities, one per each neighborhood. Mr. Balberan stressed the need for these individual neighborhoods to be able to produce their own television programming, and to be able to decide what they see on television. Mr. Balberan stated that these separate Satellites would create better quality programming, would provide training and employment opportunities for low income youth. Mr. Balberan stated that these centers would address the issue of violence in the neighborhoods, and the centers would be a deterrent to violence. Mr. Balberan stated the these centers would create better unity in the neighborhoods, and create leadership. Mr. Balberan stated that he felt that there is not enough minority representation on the SFCTC Board of Directors and that he would like to meet with SFCTC and the Director of DTIS to discuss this issue.

Julia Sabori stated that she was pleased that the commission believes in more outreach to the community involving telecommunications issues, and stated that more outreach to the individual neighborhoods is necessary. Ms. Sabori stated she was in favor of having satellite Public Access facilities for each neighborhood instead of one facility for the whole community. Ms. Sabori stated that neighborhood youth would benefit from having access to their own facilities.

Aaron Lechuqanas showed a petition to the Commission with 300 signatures on it requesting that any grants issued to the City by TCI for Public Access should be given directly to neighborhood organizations for neighborhood Public Access.

Julio Ramirez stated that SFCTC should be totally disbanded and that Public Access in San Francisco should be managed by a publicly elected Board of Directors, and that

citizens should decide Public Access issues. Mr. Ramirez stated that the Educational channel, and the Governmental channel should not be sharing funding with Public Access.

Sandra Sandoval stated that minorities do not have access to television, and that minorities should have involvement, and use of Public Access. Ms Sandoval state that she was in favor of giving Public Access to the individual ethnic communities instead of it being centrally controlled.

Oscar Grande stated that youth in neighborhoods such as the Mission District cannot get access to multi-media, and that they have no means of expressing their talents. Mr. Grande stated that he is in favor of neighborhood Public Access so the youth in areas such as the Mission District have equal access to multi-media and training.

Vincente Padilla stated that he is a school teacher with talented students who can't get access to the Educational channel or Public Access. Mr. Padilla feels that the individual neighborhoods need their own Public Access centers.

Comment

President Ellington advised the group as a whole that their ideas are good ideas, but the type of funding needed for such a project could take years to obtain. President Ellington urged the group to continue with their efforts, and stated that he felt that in the future these ideas would become reality. President Ellington stated that neighborhood groups should consider using the Mobile Production Van and Brooks Hall when both are available for community use. Raymond Balberon advised that his group would do their own fund raising to help achieve their goals. Vice President Jackson urged the group to work with SFCTC to get achieve some of their goals. Commissioner Engel requested Zane Blaney to comment on the presentation. Mr. Blaney stated that 4 out of 9 members SFCTC's Board of Directors are people of color, and that 7 out of 18 members on SFCTC's Advisory Board are people of color. Mr. Blaney stated that Mr. Balberon was requested to submit a youth nominee for the SFCTC Board of Directors, and that Mr. Balberon was asked to serve on the SFCTC Advisory Board. Mr. Blaney stated that he believed in Mr. Balberon's ideas and that Public Access should be assessable to everyone in the community.

6. New Business

TCI / AT&T Merger

Acting Director Friedlander stated that the merger between TCI and AT & T had been announced over one month ago, and that she was disappointed that the two companies have taken the position that this transaction does not require review by the San Francisco Board of Supervisors. Acting Director Friedlander stated that at the time TCI acquired Viacom, the City decided that it would have the right to review and changes of ownership under the franchise agreement. Acting Director Friedlander stated that she would consult

with both companies, and the City Attorney's office to determine if in fact the Board of Supervisors have the right to review this transaction, and that she would update the Commission at the next Commission Meeting.

7. Calendar Matters

- Resolution to be presented on Y2K
- A report on the Mobile Production Van and it's equipment
- A follow-up report on the COIT meeting
- A status report on DTIS's 6 key priorities
- A report on TCI subscriber complaint tracking system
- A report on the monitoring fo the TCI Franchise agreement

8. Adjournment

President Ellington adjourned the meeting at 8:33 p.m.

Respectfully submitted,

Bryan B. Addy
Acting Commission Secretary



Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

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OCT 19 1998

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Monday, October 19, 1998, 5:30 PM

The War Memorial Building
401 Van Ness Avenue, Room 410

AGENDA

1. CALL TO ORDER AND ROLL CALL

Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner Jan Masaoka
Commissioner John Lira

Excused Absence: E. David Ellington, President

2. APPROVAL OF THE MINUTES

Adoption of the Minutes of the September 28, 1998 meeting of the
Telecommunications Commission

- Public testimony

3. COMMUNICATIONS

See Attached

4. DIRECTOR'S REPORT

- Public testimony

5. OLD BUSINESS

- A. PEG Access Update:
 - Public testimony
- B. Telecommunications Plan Update:
 - Public testimony
- C. 415 Area Code Relief Update:
 - Public testimony

6. NEW BUSINESS

- A. Year 2000 Resolution
 - ACTION ITEM

ENDORsing THE LAUNCH OF A CITY-WIDE ASSESSMENT BY THE COMMITTEE ON INFORMATION TECHNOLOGY (COIT) TO DETERMINE THE CITY'S LEVEL OF EXPOSURE TO YEAR 2000 FAILURES AND TO ENSURE THAT MISSION CRITICAL SERVICES FUNCTION WITHOUT INTERRUPTION AND URGING THE PARTICIPATION AND FULL COOPERATION OF ALL CITY DEPARTMENTS WITH THIS EFFORT.

-public testimony

- B. TCI Complaint Report:
 - Public testimony

7. CALENDAR MATTERS

-Public Testimony

8. PUBLIC COMMENT

9. ADJOURNMENT

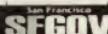
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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

DISABILITY ACCESS

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TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

MINUTES

MONDAY, OCTOBER 19, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410

REGULAR MEETING

5:30 P.M.

COMMISSIONERS
E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka

Julia M. C. Friedlander
Acting Director, Department of Telecommunications
and Information Services

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by Vice President Ernest Jackson at 5:30 P.M.

Present: Ernest Jackson, Vice President
Bonnie Engel, Commissioner
John Lira, Commissioner

Excused Absences: E. David Ellington, President
Jan Masaoka, Commissioner

2. Approval of the Minutes of September 28, 1998

The minutes of September 28, 1998 were moved, seconded and adopted unanimously.

3. Communications

Commissioner Lira asked that the e-mail message from the Community College District be attached to these minutes.

4. Director's Report

Acting Director Julia Friedlander relayed some of the department's accomplishments since the last Commission

Meeting.

- The Network Engineering Division installed a new telephone switch in City Hall, installed 1200 phone sets in several City buildings and orchestrated the cutover from the old system to the new one.
- The Enterprise Computing Division created a Y2K testing platform on the City's mainframe for testing of applications that have been Y2K compliant.
- The Enterprise Computing Division completed migration of the City's main frame to OS-390 operating system (Y2K Compliant).
- The Network Facility Division completed the installation of LAN wiring in all District Police Stations as part of the new E911 system.
- The Network Engineering Division began testing TIVOLI, the City's new Network management software at SFO.
- The Enterprise Computing, Applications and Network Engineering Divisions successfully completed an out-of-state test on the Hot Site backup for the City's mainframe computer on 09/28/98.
- The DTIS hiring freeze has been lifted.

Ms. Friedlander thanked Tripta Gupta for standing in as Commission Secretary this evening and for her past service to the Commission and the department.

5. OLD BUSINESS

A. PEG Access

Deputy Director Denise Brady reported that the department had applied for a grant to fund the site infrastructure improvements needed at Brooks Hall to support the proposed Mayor's Center for Advanced Technology (MCAT).

DPW-BOA will proceed with the next level of investigation to produce a facility program from which permit and construction design documents can be prepared as soon as CTC refunds the unused portion of moneys transferred to them earlier this year for this purpose.

Meetings have been initiated with SFUSD and CCSF to determine how the "E" Channel might benefit from shared resources at MCAT.

A meeting has been scheduled with CTC to initiate discussions to identify and consider potential interim improvements to the Public Access Channel operation including potential uses of the van.

Comments and Public Testimony

Cheryl Fabio Bradford described youth programs available at CCSF including "Off the Hook Productions" and encourage the Community Media Alliance to participate and submit tapes to be aired on the Educational Channel.

Francine Podenski and Suzanne Korey of City College described two programs available to youth and one in particular that is located in the Mission District. They are the Media Arts Proposal, and Digital Mission.

Commissioner Jackson asked SFCTC if it intended to return the unused Moneys so that DTIS could engage DPW for the next design deliverables for Brooks Hall.

Zane Blaney of SFCTC stated that only \$40K or so remains and that this money was given to fund CTC's cost to transition to a new facility.

Commissioner Jackson offered to become involved in retrieving these funds to move this project forward. The department assured the Commissioner that staff believed that this issue could be resolved amicably with the SFCTC.

Mike Freeman stated that this process needs to be guided by people w/ expertise in TV and Media production urged the Commission to be an advocates for Public Access because the program could get lost in the larger MCAT project.

B. Telecommunications Plan

Ms. Friedlander redistributed the Major Questions document and explained that the six questions are intended to develop community consensus and that breaking the effort down into discreet phases allows for better focus. Question 2 will consist of interviews with carriers and review of public documents and City records. Questions 2 and 3 are labor intensive and have been launched first to lay the ground work for the rest of the questions. We are close to hiring consultants on Questions 2 and 3. She reviewed each question briefly and projected a delivery date of February 1999 for Question #3. All questions will be completed so that the Plan will be ready to submit to the Commission, City Agencies, etc. by end of this fiscal year. Ms. Friedlander stated that a report on available funding budgeted for this effort and an approach for Questions 4, 5, and 6 would be developed and presented at the November meeting. Ms. Friedlander reported that documents on Questions will be distributed to the Commissioners and available to the public in advance of the meetings to generate lively discussion. It was agreed that the Commission should consider its Resolution pending at the Board of Supervisors regarding the target date for delivering the Plan at the December Meeting. Progress will be considered at that time.

Commissioner Engel asked if Cable TV is considered to be high speed telecommunications and also about the status of City buildings wired for CTV service and the upstream locations due the City. Ms. Friedlander stated that CTV is high speed and that the vast majority of City buildings have been wired. The upstream capacity is important and Ms. Friedlander suggested that this be discussed at a future meeting.

C. 415 Area Code Relief

Ms. Brady reported that NANPA expects to issue the recommendation to the CPUC in two to three months. The CPUC will refer the recommendation to the Administrative Law Judge who will report back in 45 to 60 days. This process will be completed around March 1999. Ms. Brady also reported that the Board of Supervisor intends to hold a public hearing on this matter in November and stated that she would keep the Commission informed of the Board's actions.

6. NEW BUSINESS

A. Year 2000 Resolution

ENDORsing THE LAUNCH OF A CITY-WIDE ASSESSMENT BY THE COMMITTEE ON INFORMATION TECHNOLOGY (COIT) TO DETERMINE THE CITY'S LEVEL OF EXPOSURE TO YEAR 2000 FAILURES AND TO ENSURE THAT MISSION CRITICAL SERVICES FUNCTION WITHOUT INTERRUPTIONS AND URGING THE PARTICIPATION AND FULL COOPERATION OF ALL CITY DEPARTMENTS WITH THIS EFFORT.

Resolution was moved, seconded and approved unanimously.

Ms. Friedlander introduced a report that the department had prepared and submitted to COIT and explained that, in response, COIT established a sub-committee to head up a six week assessment of all mission critical functions in City agencies.

B. TCI Complaint Report

Vice President Jackson noted that the Commissioners had received the three TCI Quarterly Complaint Tracking Reports sent by DTIS last week. Ms. Brady clarified that the reports only contained those reports referred to TCI from government agencies and consumer protection agencies and did not contain information on complaints made directly to TCI. Mr. Doug Schulz reported that service requests are back to normal(less then 7 days turn

around). Upon request, Mr. Schulz stated that he would provide the number of requests for services outside the exhibit area that TCI turned away.

7. Calendar Matters

- Status report on Director's key priorities
- TCI subscriber complaint log report on requests denied outside exhibit area
- Status on State and Federal Internet Taxation
- 415 report on Board action
- Funding available for Telecommunication Plan

8. Adjournment

Vice-President Jackson adjourned the meeting at approximately 7:15PM.

Respectfully submitted,

Denise M. Brady
Deputy Director

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Department of Telecommunications and Information Services
City and County of San Francisco

/98

NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, November 16, 1998, 5:30 PM
The War Memorial Building
401 Van Ness Avenue, Room 410

AGENDA

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner Jan Masaoka
Commissioner John Lira

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Excused Absence:

2. APPROVAL OF THE MINUTES

Adoption of the Minutes of October 19, 1998 meeting of the Telecommunications Commission

- Public testimony

3. COMMUNICATIONS

See Attached

4. DIRECTOR'S REPORT

- Public testimony

Telecommunications Commission

5. **OLD BUSINESS**

- A. PEG Access Update:
 - Public testimony
- B. Telecommunications Plan Update:
 - Public testimony
- C. Cable TV Service Requests Outside the Service Area
 - Public testimony

6. **NEW BUSINESS**

- A. Resolution: Professor Herb Kaplan -ACTION ITEM

POSTHUMOUSLY COMMENDING PROFESSOR HERB KAPLAN FOR HIS DEDICATION TO THE PROMOTION OF PUBLIC ACCESS TELEVISION FOR THE CITIZENS OF SAN FRANCISCO AND EXTENDS ITS DEEPEST SYMPATHY TO THE KAPLAN FAMILY, FRIENDS, COLLEAGUES, AND STUDENTS.

 - Public testimony
- B. Resolution: Cityspan Award - ACTION ITEM

COMMENDING AND CONGRATULATING THE TEAM FROM THE APPLICATIONS DIVISION OF DTIS WHO MANAGE "CITYSPAN", THE OFFICIAL WEB SITE FOR THE CITY AND COUNTY OF SAN FRANCISCO, ON RANKING FIFTH AMONG 120 GOVERNMENT WEB SITES IN THE THIRD ANNUAL "BEST OF THE WEB" CONTEST CONDUCTED BY THE NATIONAL PUBLICATION *GOVERNMENT TECHNOLOGY*.

 - Public testimony
- C. Resolution: 1997 PEG Resolutions -ACTION ITEM

ENDORsing THE DEPARTMENT'S PLAN TO DEVELOP THE MAYOR'S CENTER FOR ADVANCED TECHNOLOGY (MCAT) IN

November 16, 1998

Page 3

BROOKS HALL, URGING THE DEPARTMENT TO MOVE AS QUICKLY AS POSSIBLE TO DEVELOP FINANCING, DESIGN AND PROGRAM PLANS FOR THE MCAT THAT WILL ACCOMMODATE PUBLIC ACCESS TELEVISION, URGING THE MANAGERS OF THE PUBLIC EDUCATION AND GOVERNMENT (PEG) CHANNELS AND THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION (SFCTC) TO COOPERATE WITH DTIS IN THE DEVELOPMENT OF BROOKS HALL, URGING THE SFCTC AND TCI TO WORK WITH THE DEPARTMENT TO DEVELOP A PLAN FOR INTERIM IMPROVEMENTS TO PUBLIC ACCESS TELEVISION, AND TABLING THE RESOLUTIONS RELATED TO PEG ACCESS THAT THE COMMISSION CONDITIONALLY APPROVED AT ITS MEETING ON DECEMBER 15, 1997 WHICH HAVE NOT BECOME EFFECTIVE.

-Public testimony

D. Internet Taxation Legislation - Status Report

-Public testimony

7. CALENDAR MATTERS

-Public testimony

8. PUBLIC COMMENT

9. ADJOURNMENT

COMMUNICATIONS RECEIVED OCTOBER 20, 1998 - NOVEMBER 9, 1998

1. A brochure for the Cities of the Future Conference.
2. A letter dated November 3, 1998, and article, sent from John Higgins, Ph.D., University of San Francisco (USF) and Board member of the San Francisco Community TV Corporation (SFCTC), requesting the Commission to support the SFCTC with funding from the city and with management responsibilities of public access television in San Francisco.
3. A letter dated November 4, 1998, from the Jennie Emire Rodriguez, Executive Director, Mission Cultural Center for Latino Arts, expressing support for the Board of Supervisors' Resolution #507-97 to transfer management of the City's Public Access Channel to the San Francisco Community Television Corporation (SFCTC.)

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

DISABILITY ACCESS

Room 410 is wheelchair accessible. The closest accessible BART station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #5 Fulton, #21 Hayes, #42 Downtown Loop, #47 Van Ness, #49 City College lines and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142. There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. Assistive listening devices are available for use and the following services are available upon request 48 hours in advance of this meeting. For American Sign Language interpreters, use of a reader during a meeting or a large-print copy of an agenda, contact Kim Weisman at (415) 554-4443.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

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16/98

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

MINUTES

MONDAY, NOVEMBER 16, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410

REGULAR MEETING
5:30 P.M.

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COMMISSIONERS

E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka

Julia M. C. Friedlander
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 5:37 P.M.

Present: E. David Ellington, President
 Ernest Jackson, Vice President
 Bonnie Engel, Commissioner
 John Lira, Commissioner

Absent: Jan Masaoka, Commissioner

2. Approval of the Minutes of October 19, 1998

The minutes of October 19, 1998, were moved, seconded and adopted unanimously.

3. Communications

President Ellington referred to the attachment. There was no public testimony.

4. Director's Report

Acting Director Julia Friedlander relayed some of the department's accomplishments on key priority projects since the last Commission meeting.

The Network Engineering Division and the Network Facilities Division completed installation of a fiber optic connection using PG&E conduit to link the City Attorney's data center at Fox Plaza with the new City Attorney offices at City Hall.

The Network Engineering Division has been working with all departments relocating to City Hall to test the high speed data infrastructure that has been installed in City Hall.

The Network Engineering Division executed a contract with Pacific Bell to provide a SONET network with fiber optic connectivity, between the new Combined Emergency Communications Center (currently under construction) and the Hall of Justice and the Fire Department Headquarters, which will provide high speed data transfer to facilitate dispatch and public safety records management.

The Network Facilities Division completed the installation of LAN wiring and electrical work in the Police Academy, the Hall of Justice and 21 of 44 fire stations as part of the new E911 system.

The staff from the Applications Division and Ms. Friedlander met with the 12 department heads whose departments perform mission critical public services and are currently working with *COIT Subcommittee on Y2K* members Ed Harrington and Matthew Hymel on preparing a report on these efforts with recommendations for future action.

The Enterprise Computing Division completed migration of the Hall of Justice system to a Y2K compliant operation system, OS390.

The Enterprise Computing Division completed migration of all CICS online transaction systems to a Y2K compliant release, 4.1, providing increased protection from unauthorized access by requiring a new security method of user-ids and passwords.

The Administration Division has been working with consultants from KPMG to analyze the cost of all DTIS services and revise the rates charged for DTIS services to City departments.

The Network Facilities Division moved the telephone switch serving the Fire Department headquarters from its old location at 260 Golden Gate Avenue to its new location at 698 Second Street.

The Network Facilities Division finalized a master contract with Cellular One to provide cellular serve to City employees who use mobile telephones to perform their duties.

The Applications Development Division implemented a WEB application for the Purchasing Department that automatically formats and displays procurement opportunities to interested vendors, enables questions from vendors to be submitted directly to the purchasing department and allows for answers to be viewed by prospective bidders.

The Applications Development Division created two special WEB sites for the Department of Elections in connection with the November 3, 1998, election. The first site allowed San Francisco citizens to enter their home address and receive the address of their polling location. The second site enabled residents to view local election returns updated every half hour, as well as link to the WEB site on which statewide results were reported.

The Policy, Planning & Policy Compliance Division aired the November 3, 1998, election results on Citywatch on Cable Channel 54 from 10:00 p.m. on election night until 9:00 a.m. the following morning.

Ms. Friedlander introduced and welcomed Kim Weisman as the new Secretary to the Commission and thanked Commissioner Jackson for his participation in the interview process.

- **Comment**

Commissioners Jackson and Lira commended DTIS for its comprehensive report and the hard work accomplished by the department. Commissioner Lira added that he was particularly impressed with the WEB election sites and the work of DTIS staffer Eddy Ching.

5. OLD BUSINESS

A. PEG Access

Ms. Denise Brady reported on Public Access interim improvements, the Mayor's Center for Advanced Technology (MCAT) and educational access and government access.

TCI identified a plan to replace approximately \$75,000 worth of its' Public Access equipment. They invited DTIS to tour the studio, review the existing equipment inventory, and TCI's proposed replacement plan. DTIS invited the San Francisco Community Television Corporation (SFCTC), to join them on the tour.

DTIS continues to meet with SFCTC to discuss options for interim improvements on a program by program basis, i.e., editing, studio, training, lending, etc.

Ms. Friedlander and Ms. Brady attended SFCTC's October 1998 board meeting. Ms. Friedlander described the DTIS organization in detail, including how PEG fits into the department's roles and responsibilities. Also described was the MCAT project at Brooks Hall, on which the Director sought the support of the SFCTC. The Board has not yet acted on DTIS' request for the return of the unused transition grant, but DTIS expects that this issue will be resolved amicably in the near future.

DTIS is actively investigating options and opportunities to fund the MCAT.

DTIS has met with the San Francisco Unified School District (SFUSD) and the San Francisco Community College District (SFCCD) for the first of several meetings to discuss how Channel 52 can participate in the development of MCAT and to discuss how to maximize the benefit of shared resources.

- **Public Testimony**

None.

- **Comment**

Commissioner Engel thanked TCI for the equipment replacement and help in the transition phase and added that she hoped it would immediately result in better programming. President Ellington added his thanks to TCI.

B. Telecommunications Plan (attachment)

Ms. Friedlander relayed the monthly progress report for the development of the telecommunications plan on question one, Thriving Cities of the 21st Century, question two, Telecommunications Provider Research -- Supply Side of Local Telecommunications Market and question three, Consumer/Community Research -- Demand Side of Local Telecommunications Market.

- Comment

Commissioner Engel asked if the "Cities of the Future Conference" would be broadcast on Public Access. Ms. Friedlander stated that she believed it would be broadcast on a variety of cities' Public Access channels, including San Francisco. Commissioner Lira requested that the Commissioners be given a copy of the names of people that DTIS was presently contacting for source information.

In response to question three's status report, President Ellington asked what role DTIS and the consultant will play in the analysis of the questionnaires and surveys. Ms. Friedlander stated that DTIS will work in conjunction with the consultant and guide them on the issues that are of priority to the City, but DTIS expects the consultant to take the lead on the analytical work. President Ellington asked if the City wants to fund a program to educate the public in the areas of telecommunications services and how it relates to the individual on a personal level. President Ellington stated his belief that part of the mandate of the Commission and the department is to educate the citizenry about all aspects of telecommunications. Ms. Brady responded that some of the consultants with whom DTIS has conferred have addressed this issue and offered various options for educating the public on this issue.

Vice President Jackson asked about the process of selecting the focus groups. Ms. Friedlander responded that the focus groups will result from comprehensive mailings to a large number of community organizations that specifically discuss the purpose of the focus groups and invite representatives of those organizations to participate. Additionally, DTIS has considered personal outreach into the community, with possible assistance from the commissioners, to explain face-to-face why it might be important for an organization to participate. Commissioner Lira suggested that City College could be useful for the educational aspect by offering classes such as, "Technology 101." He also suggested that DTIS conduct workshops for residents and small business owners.

Vice President Jackson commended the DTIS plan, but stated that if the Commissions' suggestions would adversely impact the timeline, they prefer that they not be implemented at this time. Ms. Friedlander thanked the Commissioner for his consideration, and assured him that DTIS will work to balance the needs to meet the Commissioners' deadlines and receive significant public input. Commissioner Engel asked if the public hearings will be held at the Commission meetings. She requested that

the draft documents are distributed on a timely basis for the public to review them subsequent to the meetings.

- **Public Testimony**

None.

C. Cable TV Service Requests Outside the Service Area

At the request of Commissioner Engel from the October 1998 meeting, Doug Schulz, General Manager, TCI made a presentation to the Commission regarding cable tv service requests from outside the service area. Mr. Schulz reported that there have been six inquiries from October 10, 1998, to November 11, 1998. Of the six inquiries, three were located in Daly City, two required a stub permit and one was located in a commercial area, outside the company's required service area.

- **Comment**

Commissioner Engel asked if TCI is working on such areas as Mission Bay and South of Market. Mr. Schulz replied yes, they are, and are always ready to bring service into areas where there are new homes and new developments, such as Bayside Village. The Commissioner also asked if there were any major residential areas in the City that were not being serviced. Mr. Schulz replied that 100% of residential areas are either covered by TCI or another service provider.

Mr. Schultz announced that there will be a new TCI cable store at Portrero and 16th to serve customers more effectively. Notices will be made to the public through television advertising, bill notices and, at the suggestion of Commissioner Lira, emails sent to the digital customers.

Commissioner Lira requested an update on TCI's progress on the digital cable upgrade. President Ellington requested an update on the regional strategy for digital upgrade on TCI's western division. Commissioner Engel requested an update on the Fremont experiment. Doug Schultz agreed to report on these items at next month's Commission meeting.

- **Public Testimony**

None.

6. NEW BUSINESS

A. Professor Herb Kaplan Resolution

**POSTHUMOUSLY COMMENDING PROFESSOR HERB KAPLAN FOR HIS
DEDICATION TO THE PROMOTION OF PUBLIC ACCESS TELEVISION FOR THE**

CITIZENS OF SAN FRANCISCO AND EXTENDS ITS DEEPEST SYMPATHY TO THE KAPLAN FAMILY, FRIENDS, COLLEAGUES, AND STUDENTS.

- **Comment**

Zane Blaney, at the invitation of the department, reported on Professor Kaplan's many contributions to SFCTC as a founding member of its Board.

- **Public Testimony**

None.

- **Resolution**

Resolution was moved, seconded and approved unanimously.

B. Cityspan Award Resolution

COMMENDING AND CONGRATULATING THE TEAM FROM THE APPLICATIONS DIVISION OF DTIS WHO MANAGE "CITYSPAN," THE OFFICIAL WEB SITE FOR THE CITY AND COUNTY OF SAN FRANCISCO, ON RANKING FIFTH AMONG 120 GOVERNMENT WEB SITES IN THE THIRD ANNUAL "BEST OF THE WEB" CONTEST CONDUCTED BY THE NATIONAL PUBLICATION GOVERNMENT TECHNOLOGY.

- **Comment**

Vice President Jackson extended congratulations to Cityspan for placing fifth from among government WEB sites across the country and commended, along with Commissioner John Lira, Mr. Loucks for his outstanding work. Vice President Jackson suggested that because of President Ellington's extensive background in this area, he serve as an advisor to "Cityspan," helping them in their goal of becoming the "#1" government WEB site in the country.

Mr. Loucks acknowledged his staff members Jennifer Schuler, Cynthia Clark and Susan Kelly, under the management of Ron Hass for their hard work on the site. Mr. Loucks suggested a live demonstration of the site at the next Commission meeting.

Commissioner Engel commended the team and recommended a future discussion of increasing the budget for Cityspan maintenance. Commissioner Lira suggested that there are many organizations, including the non-profit OpNet and the Bay Area Video Coalition, that might like to be involved in the development of the site.

Vice President Jackson invited the Cityspan team to the next Commission meeting to meet and publicly commend them on their work.

- **Public Testimony**

None.

- **Resolution**

Resolution was moved, seconded and approved unanimously.

C. 1997 PEG Resolution

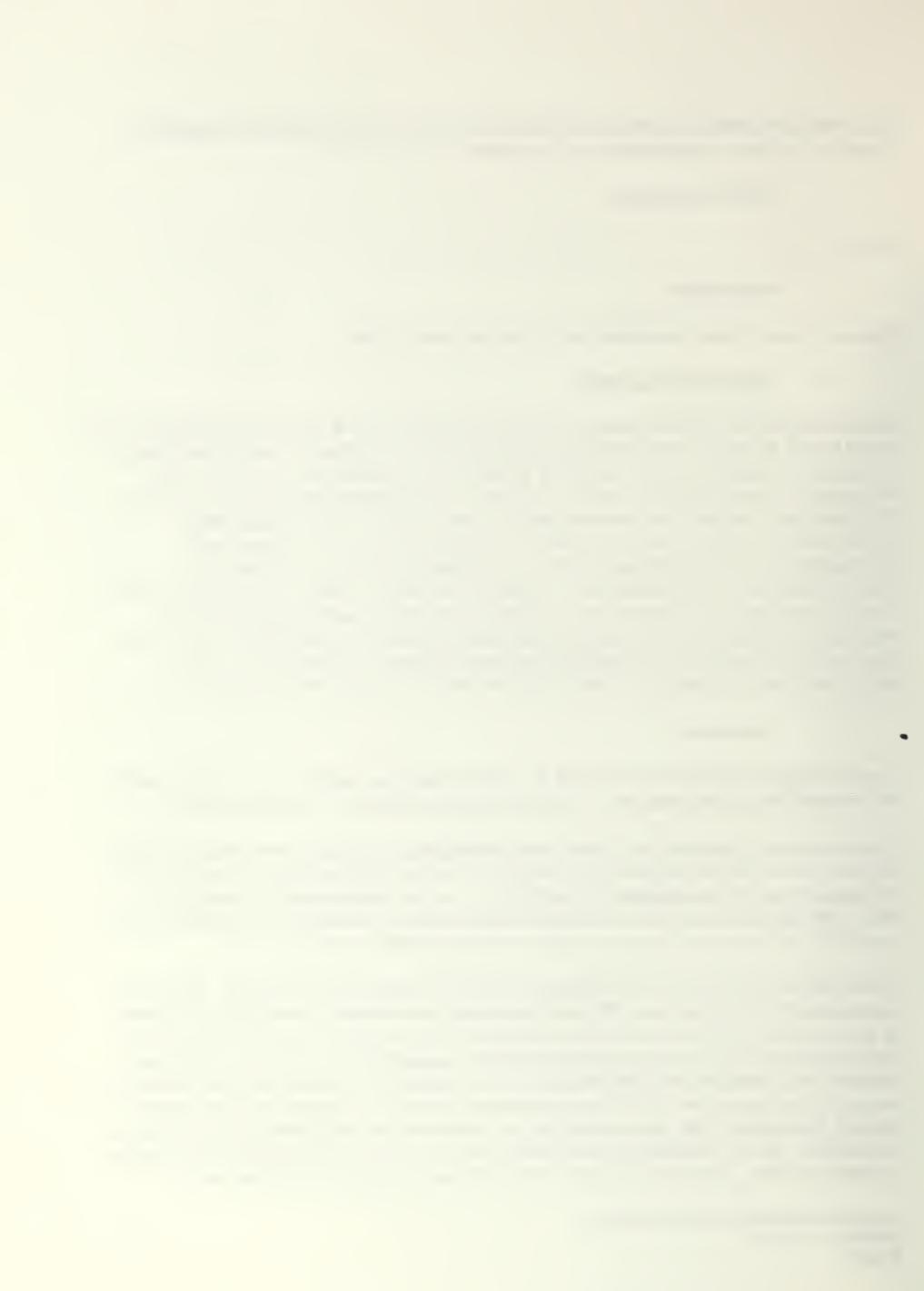
ENDORsing THE DEPARTMENT'S PLAN TO DEVELOP THE MAYOR'S CENTER FOR ADVANCED TECHNOLOGY (MCAT) IN BROOKS HALL, URGING THE DEPARTMENT TO MOVE AS QUICKLY AS POSSIBLE TO DEVELOP FINANCING, DESIGN AND PROGRAM PLANS FOR THE MCAT THAT WILL ACCOMMODATE PUBLIC ACCESS TELEVISION, URGING THE MANAGERS OF THE PUBLIC EDUCATION AND GOVERNMENT (PEG) CHANNELS AND THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION (SFCTC) TO COOPERATE WITH DTIS IN THE DEVELOPMENT OF BROOKS HALL, URGING THE SFCTC AND TCI TO WORK WITH THE DEPARTMENT TO DEVELOP A PLAN FOR INTERIM IMPROVEMENTS TO PUBLIC ACCESS TELEVISION, AND TABLING THE RESOLUTIONS RELATED TO PEG ACCESS THAT THE COMMISSION CONDITIONALLY APPROVED AT ITS MEETING ON DECEMBER 15, 1997 WHICH HAVE NOT BECOME EFFECTIVE.

- - **Comment**

Commissioner Engel asked if all of the TCI funds have been received. Ms. Brady stated that most of the funding has been received, excluding the annual operating funds.

Commissioners Engel and Lira questioned the language of the proposed resolution as it originally read in the fourth paragraph, page two, "...reserving as much as possible of the TCI grant funds for development of the MCAT...." as too vague regarding funding for PEG. Ms. Brady assured the Commission that the money needed to develop MCAT and fund PEG will far exceed the current grant monies available from TCI.

Commissioner Lira asked for clarification on SFCTC's management of PEG. Ms. Brady clarified that SFCTC has been officially designated the non-profit manager by the Board of Supervisors. DTIS has a specific plan to work in conjunction with the SFCTC on the development of MCAT, which includes identifying possible funding sources. Ms. Brady assured the Commissioners that the SFCTC's current level of funding is intact. DTIS has secured an extension on SFCTC's management contract for the government channel through December 1998, while working on an additional extension through the fiscal year. Additionally, SFCTC receives approximately \$48,000 annually for the promotion of public access television. The SFCTC budget will be increased as their role increases for



managing interim improvements. Ms. Friedlander restated DTIS' goal of having a short-term plan by the end of 1998, which should have a significant operating impact on SFCTC.

Commissioner Engel asked if the plan included funding of the production van, discussed at the October 1998 meeting. Ms. Brady stated it is too soon to determine if the van should be part of the interim improvement plan.

- **Public Testimony**

Zane Blaney, CEO of SFCTC, stated that they are eager to cooperate with the City on the plan, but that no significant improvements can be made without the transfer of management. He requested a change in paragraph two that was approved and amended by the Commission to read, "3) a television PEG production facility." Mr. Blaney agreed on the interim improvements, but stated his hope that the operating funds would be released to be used for management while Brooks Hall is being developed. While Mr. Blaney agreed with the idea of seeking grant funding, he stated that the bulk of the money for facilities and operations in most PEG operations across the country comes from city franchise fees or the cable operator. President Ellington reminded Mr. Blaney that one of the purposes of MCAT was to enable DTIS to raise larger contributions than a stand-alone facility for PEG. Ms. Friedlander confirmed this and that the MCAT is designed to meet broader purposes than what is found in other cities. Mr. Blaney requested that the Commission consider accessing the general fund to make up for any possible shortfalls. Vice President Jackson asked Mr. Blaney for clarification on the funding issues and reviewed the purpose of MCAT and PEG, and the types of funding that will be used for the project.

Sybil Boutilier stated that while she thought MCAT was a great idea, the details were being lost in the big picture. Ms. Boutilier requested that the wording in paragraph four, page two, be reworded to include the PEG facility. Vice President Jackson asked for confirmation from Ms. Boutilier if she understood that the MCAT would provide more funding for PEG than if PEG were to be funded alone. Ms. Boutilier said that yes, she did understand, but wanted to make sure that the people were not disempowered. She felt that putting it under a government mantle changes the character of the Public Access facility. President Ellington reminded Ms. Boutilier that the facility is being managed by the SFCTC, a non-profit entity, and that Public Access is collectively owned by the people of San Francisco. President Ellington also stated that the project now has a much better opportunity to be funded than ever before. Ms. Boutilier requested that the Commission look at other models, such as the Digital Village.

Mike Freeman seconded Ms. Boutilier's comments and concerns about Public Access being lost in the process and suggested various changes to the pending resolution. Mr. Freeman read a portion of a resolution passed by the Commission in December 1997, which recommended that the Board of Supervisors increase funding to make up for short falls by the PEG providers over the next four years.

Vice President Jackson addressed the concerns of Ms. Boutilier and Mr. Freeman. He clarified that funding will not be cut for Public Access; in short, there will be even more money available now in this all encompassing program, which includes Public Access under the MCAT umbrella.

Commissioner Lira and Commissioner Engel raised concerns over what they considered to be ambiguous wording in the resolution as to how PEG and MCAT are related. President Ellington confirmed that PEG is an integral part of MCAT. PEG has benefited from the MCAT program by Ms. Friedlander tripling the original plans' square footage to approximately 30,000 square feet.

The Commission agreed to the following change, suggested by Ms. Friedlander, in the fourth paragraph, page two, of the resolution, "...while reserving as much as possible of the TCI grant funds for development of the *PEG facility in the MCAT*..." Ms. Friedlander clarified that the purpose of this particular line was to ensure that the monies are not only being spent on short term development, which would deplete resources for the long-term development of the MCAT. Ms. Friedlander stated that DTIS feels that this is the most efficient and effective way of funding MCAT and PEG over the next two years.

- **Resolution**

Amendment to resolution was moved, seconded and approved unanimously.
Resolution was moved, seconded and approved unanimously.

D. Internet Taxation Legislation

Christine Ferrari, Deputy City Attorney, reviewed the California Internet Tax Freedom Act, Assembly Bill 1614, as requested by Commissioner Lira at the October 1998 meeting.

- **Comment**

Ms. Friedlander stated that the City Attorney's office worked closely with the Mayor's Office and cities' lobbyists during the period when various versions of the bill were being considered. During this period there were two primary concerns for the City Attorney's office. First, that the act might have an unintended effect of favoring Internet commerce over businesses located in San Francisco. Second, that the act might have the unintended effect of reducing revenues from existing taxes or franchise fees to the City. Commissioner Lira clarified with Ms. Friedlander that no new taxes can be imposed on Internet commerce for a three year period. He also asked if there has been a study completed on the revenue lost by non-taxation versus the revenue gained by non-taxation. Commissioner Engel asked if there is a national trend towards continuing non-taxation. Ms. Friedlander answered that there needs to be additional research on the effects of this measure on state and local tax revenues.

- **Public Testimony**

None.

7. Calendar Matters

A status report on the AT&T/TCI merger.

- Public Testimony

None.

8. Public Comment

Mike Freeman asked that the agenda be posted at least one week prior to the meetings, particularly on the Internet. Mr. Freeman volunteered his time to make sure that the later is done on a timely basis. He also requested that the Commission report on an ongoing basis the City's response to the AT&T/TCI merger.

Ms. Brady stated that the agenda is posted on the Cityspan WEB site and the public is mailed the agenda at the same time as the Commissioners. She further stated that although DTIS is currently in full compliance of the Sunshine Act, DTIS will try to post the agendas earlier in the week.

Mr. Loucks noted that there is a new site on Cityspan called "City Meetings." As designated by a Board of Supervisors resolution, all commissions are now required to post all minutes and agendas on this site.

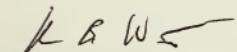
Neils Erich, with SPUR, echoed Mr. Freeman's comments about wanting to receive the agenda on a more timely basis. Mr. Erich requested that going forward the people on the mailing list receive a copy of the minutes from the prior meeting as well as the agenda for the upcoming meeting.

Ms. Friedlander stated that DTIS would look into the most efficient way of distribution. It is Ms. Friedlander's belief that significant improvements will now be seen on the timeliness of documents with a new Commission Secretary in place.

9. Adjournment

President E. David Ellington adjourned the meeting at approximately 7:46PM.

Respectfully submitted,



Kim B. Weisman
Commission Secretary

DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 98-007

1 POSTHUMOUSLY COMMENDING PROFESSOR HERB KAPLAN FOR HIS
2 DEDICATION TO THE PROMOTION OF PUBLIC ACCESS TELEVISION FOR THE
3 CITIZENS OF SAN FRANCISCO AND EXTENDS ITS DEEPEST SYMPATHY TO THE
4 KAPLAN FAMILY, FRIENDS, COLLEAGUES, AND STUDENTS.

5 WHEREAS Professor Herb Kaplan served on the faculty at San Francisco State
6 University where he taught Broadcast Law and Regulation for fifteen years and where
7 his integrity and devotion to teaching earned him the respect of his students and
8 colleagues; and,

9 WHEREAS Professor Kaplan gave enormous amounts of his personal time
10 serving the Boards of San Francisco Community Television Corporation (SFCTC), the
11 Bay Area Video Coalition (BAVC), and the Academic Senate at San Francisco State
12 University; and,

13 WHEREAS Professor Kaplan's tenacious determination to make electronic
14 communications accessible to the public will be greatly missed; and,

15 WHEREAS Professor Kaplan's vision for public access television was not
16 realized before his untimely death; and

17 WHEREAS that the Telecommunications Commission is pleased that the
18 availability of Brooks Hall now makes it possible for the City to realize Professor Herb
19 Kaplan's ambitions for public access television; now, therefore be it

20 RESOLVED that the Telecommunications Commission posthumously
21 commends Professor Herb Kaplan for his dedication to the promotion of public access
22 television for the citizens of San Francisco and extends its deepest sympathies to
23 Professor Kaplan's family, friends, colleagues, and students.

1 DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

2 City & County of San Francisco

3 RESOLUTION NO. 98-007

4 Approved by the Telecommunications Commission:

5 Ayes: Four

6

7 I hereby certify that the foregoing resolution was approved by the San Francisco
8 Telecommunications Commission.

9

10 November 16, 1998

11 Date Approved

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13 Kim B. Weisman, Commission Secretary

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DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 98-008

1 COMMENDING AND CONGRATULATING THE TEAM FROM THE APPLICATIONS DIVISION
2 OF DTIS WHO MANAGE "CITYSPAN", THE OFFICIAL WEB SITE FOR THE CITY AND
3 COUNTY OF SAN FRANCISCO, ON RANKING FIFTH AMONG 120 GOVERNMENT WEB
4 SITES IN THE THIRD ANNUAL "BEST OF THE WEB" CONTEST CONDUCTED BY THE
5 NATIONAL PUBLICATION GOVERNMENT TECHNOLOGY.

6 WHEREAS the publication *Government Technology* conducted a contest in which 120
7 government web sites from across the United States were evaluated on their mixes of
8 innovation, efficiency, economy, and functionality; and

9 WHEREAS the Indianapolis web site ranked number one and is supported by a four
10 person central staff and 30 web liaisons throughout City agencies who comprise the web site
11 management team; and

12 WHEREAS "Cityspan" is supported by a team of creative Applications Division staff
13 equaling two full time equivalents who contribute to this project while performing a variety of
14 other assigned duties; now, therefore be it

15 RESOLVED that the Telecommunications Commission commands and congratulates
16 the team from the Applications Division of DTIS who contribute to "Cityspan", the Official Web
17 Site for the City and County of San Francisco, for ranking fifth among 120 government web
18 sites in the third annual "Best of the Web" contest conducted by the national publication
19 *Government Technology*; now, therefore be it further

20 RESOLVED that the Telecommunications Commission is eager to see further
21 improvements to "Cityspan" that will not only enable the site to become the best of government
22 websites but also to be highly regarded among web sites from the private sector, and to this
23 end pledges its support in identifying private sector volunteers willing to participate in this effort.

DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 98-008

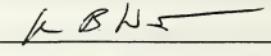
1 Approved by the Telecommunications Commission:

2 Ayes: Four

3

4 I hereby certify that the foregoing resolution was approved by the San Francisco
5 Telecommunications Commission.

6

7 November 16, 1998 

8 Date Approved

Kim B. Weisman, Commission Secretary

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DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 98-009

1 ENDORSING THE DEPARTMENT'S PLAN TO DEVELOP THE MAYOR'S CENTER
2 FOR ADVANCED TECHNOLOGY (MCAT) IN BROOKS HALL, URGING THE
3 DEPARTMENT TO MOVE AS QUICKLY AS POSSIBLE TO DEVELOP FINANCING,
4 DESIGN AND PROGRAM PLANS FOR THE MCAT THAT WILL ACCOMMODATE
5 PUBLIC ACCESS TELEVISION, URGING THE MANAGERS OF THE PUBLIC
6 EDUCATION AND GOVERNMENT (PEG) CHANNELS AND THE SAN FRANCISCO
7 COMMUNITY TELEVISION CORPORATION (SFCTC) TO COOPERATE WITH DTIS
8 IN THE DEVELOPMENT OF BROOKS HALL, URGING THE SFCTC AND TCI TO
9 WORK WITH THE DEPARTMENT TO DEVELOP A PLAN FOR INTERIM
10 IMPROVEMENTS TO PUBLIC ACCESS TELEVISION, AND TABLING THE
11 RESOLUTIONS RELATED TO PEG ACCESS THAT THE COMMISSION
12 CONDITIONALLY APPROVED AT ITS MEETING ON DECEMBER 15, 1997 WHICH
13 HAVE NOT BECOME EFFECTIVE.

14 WHEREAS DTIS has secured the Mayor's agreement to make space available
15 in Brooks Hall for the development of the Mayor's Center for Advanced Technology
16 (MCAT); and whereas the MCAT is expected to include 1) a technology training facility,
17 2) a start-up technology small business incubator, and 3) a PEG production facility; and

18 WHEREAS developing the MCAT will enhance the City's economic development
19 by providing job training and supporting micro-enterprises in the high technology sector,
20 as well as dramatically improving the resources for PEG video production; and

21 WHEREAS it is in the public good for such a valuable facility to be developed in
22 a City owned and centrally located public place; and

23 WHEREAS it will take a tremendous effort to bring MCAT to fruition and this will
24 require the cooperation and participation of private and public partners, including the
25 PEG channel operators; and

DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

City & County of San Francisco

RESOLUTION NO. 98-009

1 WHEREAS the current cable franchise calls for the public access channel to be
2 transferred from TCI to a non-profit corporation and the Board of Supervisors has
3 designated the SFCTC as that non-profit corporation; and

4 WHEREAS DTIS is in the process of developing interim improvement plans for
5 public access television while the MCAT is under development and DTIS will need the
6 support and cooperation of TCI and the SFCTC in order to develop such plans by the
7 end of this year; and

8 WHEREAS on December 15, 1997 the Commission conditionally approved four
9 resolutions relating to PEG access, which have not become effective because they
10 were conditioned upon the submittal of a public access budget satisfactory to the
11 Controller and this condition has not been met; and

12 WHEREAS the availability of Brooks Hall is a new circumstance that was not
13 contemplated when the resolutions were conditionally adopted and the Commission
14 fully supports the development of the MCAT and wishes to see significant
15 improvements to public access services while reserving as much as possible of the TCI
16 grant funds for development of the PEG facility in the MCAT; now, therefore be it

17 RESOLVED that the Telecommunications Commission applauds the Mayor's
18 decision to make space available in Brooks Hall for the Mayor's Center for Advanced
19 Technology, endorses the Department's plan to develop the MCAT, urges the
20 Department to move as quickly as possible to develop financing, design and program
21 plans for the MCAT that will accommodate public access television, urges the
22 managers of the PEG channels and the SFCTC to cooperate with DTIS in the
23 development of Brooks Hall, urges the SFCTC and TCI to work with the Department to
24 develop a plan for interim improvements to public access television, and tables the

1 DEPARTMENT OF TELECOMMUNICATIONS & INFORMATION SERVICES

2 City & County of San Francisco

3 **RESOLUTION NO. 98-009**

4 resolutions related to PEG access that were conditionally approved at the December
5 15, 1997 Commission meeting and that have not become effective.

6
7 Approved by the Telecommunications Commission:

8 Ayes: Four

9
10 I hereby certify that the foregoing resolution was approved by the San Francisco
11 Telecommunications Commission.

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29 Date Approved Kim B. Weisman, Commission Secretary

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21/98

Department of Telecommunications and Information Services
City and County of San Francisco

NOTICE

REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, December 21, 1998, 5:30 PM
The War Memorial Building
401 Van Ness Avenue, Room 410

AGENDA

DOCUMENTS DEPT.

DEC 18 1998

SAN FRANCISCO
PUBLIC LIBRARY

1. CALL TO ORDER AND ROLL CALL

E. David Ellington, President
Ernest Jackson, Vice President
Commissioner Bonnie Engel
Commissioner John Lira

Excused Absence: Commissioner Jan Masaoka

2. APPROVAL OF THE MINUTES

Adoption of the Minutes of November 16, 1998 meeting of the
Telecommunications Commission.

- Public Testimony

3. COMMUNICATIONS

See Attached

4. DIRECTOR'S REPORT

- Public Testimony

5. OLD BUSINESS

A. Telecommunications Plan

1. Monthly Progress Report
2. MCG: Discussion of Carrier's Report

- Public Testimony

B. Year 2000 Resolution

- ACTION ITEM

ENDORsing THE COMMITTEE ON INFORMATION TECHNOLOGY (COIT) PROPOSAL TO CREATE A YEAR 2000 PROJECT MANAGEMENT OFFICE AND URGING THE BOARD OF SUPERVISORS TO APPROVE OF THE FUNDING REQUIRED FOR THE IMPLEMENTATION OF THE YEAR 2000 PROJECT MANAGEMENT OFFICE.

C. 415 Area Code

- Public Testimony

D. Report from TCI regarding system rebuild plans throughout the Bay Area, including San Francisco and Fremont

- Public Testimony

6. NEW BUSINESS

CLOSED SESSION

Conference with City Attorney - Litigation

[Convene in Closed Session]

Motion that the Telecommunications Commission convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 54956.9 (a) regarding the following litigation:

[Potential Litigation]

Potential litigation as plaintiff regarding the merger of TCI and AT&T, as permitted by Government Code Section 54956.9(c).

Question: Shall this Motion be Adopted?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Secretary of the Commission to report the vote taken on any motion in the closed session.

After a closed session, if one occurs, the Commission shall adopt a motion either to disclose or not to disclose.

[Elect Not to Disclose]

Motion that the Commission finds that it is in the best interest of the public that the Commission elect at this time not to disclose its closed session deliberations concerning the above matter.

[Elect To Disclose]

Motion that the Commission finds it is in the public interest to disclose information discussed in closed sessions, and directs the President immediately to disclose that information.

- Public Testimony

7. CALENDAR MATTERS

- Public Testimony

8. PUBLIC COMMENT

9. ADJOURNMENT

COMMUNICATIONS RECEIVED OCTOBER 20, 1998 - NOVEMBER 9, 1998

1. A confirmation and program for the Cities of the Future Conference.
2. A proposal for a Louth Automation system, prepared by Brian Lay and delivered by Ron Bermudez, a producer with Channel 53.

SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

EXECUTIVE SUMMARY

The City and County of San Francisco retained Media Connections Group ("MCG") to do a survey of the telecommunications companies that are presently doing business in San Francisco and the companies that intend to do business in San Francisco. Accordingly, MCG interviewed over a dozen companies that are, or will be providing voice, data and/or video services in the jurisdiction.

While this executive summary is a useful tool, MCG urges readers to review the detailed discussion found in the body of the full report and the exhibits.

- Exhibit No. 1 contains a summary of the telecommunications company interviews.
- Exhibit No. 2 contains a summary of the various telecommunications services and costs available in the San Francisco market today for the business and residential customers located within the "Competition Center".
- Exhibit No. 3 contains a summary of the various telecommunications services and costs available in the San Francisco market today for the business and residential customers located outside the competition center.
- Exhibit No. 4 is a glossary of terms.

Overview

The incumbent telephone company, Pacific Bell, is being challenged by a number of new telephone companies that are building their own networks in San Francisco. The competition center includes the Financial District and the area south of Market sometimes referred to as Media Gulch.

The new telephone networks are composed primarily of fiber optic cable and most competing carriers have installed the latest digital telephone switches. When one of the new companies cannot reach a customer using its own network, it leases facilities from Pacific Bell. At present, a dozen carriers have leased space in the Pacific Bell facilities serving the competition center and have placed equipment there to connect their networks with the Pacific Bell network. In addition, specialized carriers provide niche services like high-speed digital data lines. Two wireless carriers offer voice and high-speed data services to businesses using high frequency microwave radios.

In the wireline video market, the incumbent provider, TCI, controls the market. A new company, RCN, has announced plans to enter the market to provide wireline video services, as well as voice and data, to residential customers in San Francisco. TCI faces some competition from direct broadcast satellite providers, like DirecTV, but so far the penetration of satellite services has been small.

Summary of Report

The main body of the report is divided into eight sections, each of which is briefly summarized below.

Section One - Do residents, large, medium and small businesses and nonprofit institutions have wireline telecommunications choices in San Francisco?

Residents have limited choices of voice, high-speed data and multi-channel video services in San Francisco. Video represents the only service of the three where some choice is available. Direct broadcast satellite service from companies like DirecTV offers a relatively competitive offering compared to the incumbent cable television operator, particularly in areas of the City where the local television stations can be received clearly with an antenna. Voice and high-speed data may become competitive services in the future if TCI rebuilds its network and if RCN enters the San Francisco market.

Depending on their location in the City, businesses and not-for-profit institutions with large and medium size telecommunications needs have a choice of providers. San Francisco has one of the most competitive markets for advanced telecom services. In addition to PacBell, there are at least eight wireline facilities-based carriers operating in this market. All of these will serve the large and medium sized users.

The new carriers' service areas are concentrated in the competition center of the City. Service beyond this area is less likely, unless the user has extremely high service demands. Smaller users of telecom services located in the service areas of the new companies will benefit from being in the "network wake" of the major users.

Small and medium size businesses located outside the competition center may benefit from recent developments in wireless delivery systems. However, these businesses do not have choices of wireline telecommunications services.

Section Two - Is it likely that competition of telecommunications providers will increase in San Francisco over the next three years or will significant consolidation occur?

Competition to serve the voice and data needs of larger businesses will continue to grow where the new carriers can access the customers using their own networks, or where they can reach the customers using a combination of their networks and Pacific Bell's local facilities.

Competition for small businesses will be slower to develop and competition in the residential market may not develop in a meaningful way at all over the next three years.

In the three year time frame of this report, resellers of the incumbent telephone companies' networks and services will continue to face an unsettled regulatory environment that will forestall true "wholesale" pricing of network elements. It is unclear how a pure reseller can make an acceptable return on investment unless the incumbents' networks are made available in very small pieces at deeply discounted (over retail) prices.

Wireless carriers will compete to serve large business customers as well, although the area of competition may well extend beyond the physical reach of the wireline competitive carriers. While wireline carriers are limited in their reach by the cost of building distribution networks, the wireless carriers are limited by the need for line-of-sight between radio facilities.

Wireless data is an emerging competitive force. Delivery technologies are continually changing and developing. Because of its ability to reach beyond the physical limits of wireline networks, wireless will increase the overall size of the data telecommunications market. It will also take some market share from existing wireline carriers because of its speed of installation and lower cost per installation. However, MCG does not believe wireless service poses a threat to wireline dominance in prime market locations where demand is concentrated and reachable by in-ground fiber routes. Once installed, network economics favor wireline carriers in high capacity applications.

Clearly, consolidation will continue in the telecommunications industry. As a result, it is not likely that there will be many more carriers competing in San Francisco in the time frame of this report. It is reasonable to expect that some competitive carriers will be acquired by other telecommunication companies, reducing the number of providers in San Francisco. To the extent that consolidation brings improved access to capital and to management resources, the *quality* of competition may increase.

Section Three - What factors might influence the development of competition among telecommunications providers in San Francisco?

There are several factors that will motivate telecommunications companies to accept the risk to their capital and dilution of management resources in order to enter a new market. They include (1) the quality of the market place, (2) the quality of the incumbent telephone company or cable operator and others established in the market, (3) the ease of entry to the market, (4) the accommodation of the municipality and local community to new technology and ideas, and (5) the capital market conditions prevailing at the time of decision. These factors can apply to carriers addressing both business and residential markets.

All of these factors will apply to market locations in general and to San Francisco and the Bay Area in particular:

Market Quality

The San Francisco business market is considered to be very good by the new carriers. Pacific Rim businesses, like banks, and the high volume of Internet traffic make this an excellent market. Similarly, the relatively high level of disposable income of San Francisco residents makes San Francisco an appealing market for competitive providers of entertainment services and Internet access.

Incumbent's Strength

While some competitive carriers interviewed for this report believe they have technology or regulatory opportunities that they can exploit vis-a-vis Pacific Bell, they did not state that Pacific Bell is a poor competitor or is generally vulnerable.

Ease of Market Entry

San Francisco is an expensive area in which to construct underground facilities. However, the City's permitting and engineering staff is considered to be professional and San Francisco's permitting records are very organized compared to many other cities.

Community Receptiveness

The San Francisco population is generally considered to be very open to new technologies and ideas, but it is also perceived to be sensitive to environmental and other issues that could affect entry by new companies, particularly wireless companies.

Capital Market Conditions

Capital is one of the principal components of any business. It is particularly important in the telecommunications industry because of the capital-intensive nature of network construction. Telecommunications companies operating in San Francisco have benefited from the robust capital markets of recent years. Such telecommunications companies are attracted to San Francisco, as they are to other cities in the top tier of telecommunications markets. Capital will follow the best market opportunities, and San Francisco, like other top tier cities, is in the right place at the time to benefit from telecommunications development.

Section Four - How many telecommunications providers serve customers through facilities they own as compared to servicing customers through resale of another carriers facilities?

Reselling the services of other carriers applies only to the telephone industry and, in particular, only to the reselling of services or network elements provided by the incumbent, Pacific Bell. Federal law requires Pacific Bell to make its networks and services available on a wholesale basis to its new competitors for resale to customers. In contrast, the new competitors are not required to resell their network components or their services to each other, or to Pacific Bell.

Cable companies, although they own ubiquitous network facilities where they operate, have never shared their networks in any meaningful way. Similarly, the new telephone carriers are not required by law to share network facilities with third parties and generally do not do so.

Reselling Pacific Bell services has occurred for years in the Centrex service area and companies like AT&T and MCI have been "reselling" local toll calls (from San Francisco to the East Bay, for instance) for the past two years. Other companies are using Pacific Bell's facilities to provide competitive, digital subscriber lines to businesses.

However, the degree to which Pacific Bell must make its network available and the price for each component that is made available are issues that are still in litigation today. It is unlikely that resellers will significantly impact plain old telephone service (POTS) in either the residential or business market in the next three years.

Section Five - To what extent does ownership of the "last mile" of wire inhibit the competitive provision of telecommunications services in San Francisco?

The "last mile" question is primarily a telephone question and is not a cable television question since cable companies do not resell their network components to others.

Every telephone customer is connected directly to a switch in a "central office" which serves a relatively small and defined geographic area. Thus, each local central office switch is the center of a star configuration of copper wires radiating out from the switch in all directions to each telephone (or other piece of equipment) in the service area. In almost all cases, a telephone is connected directly to the switch that serves it via a dedicated copper pair running in the rights of way from the home to the central office. A typical central office may have 100,000 to 200,000 pairs of copper wires running to customers.

Given its size and nature, the copper plant is, by far, the most expensive component of the telephone network to duplicate. It is so expensive, in fact, that Federal legislation was enacted to mandate that the copper wires be made available to competitors of the incumbent telephone company. If this was not done, meaningful competition for customers below the large business level would not occur for a very long time, perhaps not at all.

The new competitors are using the copper wire network today to reach some business customers. The extent of their use has been impacted by the fact that Federal regulations governing price and other issues have not been finally resolved. This lack of resolution in combination with the natural strains between competitors, who are being forced to share an integral piece of infrastructure, will result in a provisioning process that is inhibited by its very nature.

Section Six - To what extent are voice, data and video services bundled to customers and how will this practice change over the next three years?

Telecommunications service providers have the economic incentive to deliver as many revenue generating services to each customer as possible. The economics of revenue maximization are simple. The network costs a great deal to build. Each customer along the route is expensive to sell and then install. Therefore, it is imperative that the network operator generate as much revenue and income as possible from every customer connection.

The practice of bundling services involves the offering of multiple services in various combinations, at some discount over total price of the components, in order to find the highest yielding service combinations for *each* customer. Network operating companies, like cable television companies and telephone companies, usually have a low marginal cost per incremental service per customer and this supports the package discount.

Voice and data services are offered to business customers today by the incumbent and the new telephone companies. Larger customers often sign service agreements with the carriers that effectively reduce their telecommunication costs because of the volume of services they use.

Logically, the practice of bundling services will increase as competition drives the providers to maximize the revenue from each customer they serve. Bundling will thus become more critical to the economics of service delivery for all telecommunication companies.

Section Seven - How will Internet telephony affect the delivery of voice services to San Francisco businesses and residents?

Internet ("IP") telephony is a digital, packet-based protocol that permits voice to be carried over the Internet, which is essentially the world's largest wide area computer network. IP telephony may become a standard form of voice transmission simply because of the practical need to integrate voice and data services in a computer network environment cheaply and reliably.

However, at present, the switches and routers that control the Internet do not operate within the tight time tolerances that are necessary for the transmission of high quality voice traffic. A significant investment must be made in equipment and, in addition, protocols that give voice traffic priority at switch and router points must be implemented throughout the Internet. Finally, if significant volumes of voice traffic are carried by the Internet, the public switched telephone network must add a layer of equipment to move the IP telephone traffic to and from the existing network.

IP telephony will not have a material impact on the San Francisco telephone market in the next three years.

Section Eight - What factors will influence the deployment of competitive high-speed telecommunications services to low income individuals and neighborhoods?

Digital Subscriber Line (DSL), a high-speed data service, is currently offered in San Francisco by three companies, Pacific Bell, Covad and Northpoint. Of these only Pacific Bell has identified the residential market as a target. Soon all neighborhoods in the City and most individual households will be offered high-speed data service.

Competitive high-speed data service to residences must await the rebuilding of TCI's network, or the entry of RCN to the San Francisco market place. TCI will offer high-speed cable modem services throughout the City and RCN will offer high-speed data services in its service areas.

Conclusion

There clearly is competition today in portions of the local telephone market. Geographically, competition for business customers from facilities-based carriers is centered in the Financial District and in the Media Gulch area. In the general San Francisco telecommunications market, Pacific Bell is facing significant competition in dedicated data circuits and in local toll traffic. Competition for standard, business voice lines is limited to larger businesses, but will reach deeper into the smaller business market over time.

There is no meaningful competition in the residential telephone market at this time.

In the entertainment video market, TCI is the dominant provider. Satellite video services are available in San Francisco, but the penetration is low.

The acquisition of TCI by AT&T and market entry by companies like RCN, which offers voice, data and video services to each of its customers, will expand the service choices available to the residents of San Francisco. RCN does not intend to serve all the residential market in the next three years and, therefore, competition in voice, video and data may not reach everyone. However, if TCI enters the telephony market as the result of AT&T's ownership, competition in the residential voice and high speed data market may develop in all areas of the City.

San Francisco		Residential Target Market (1)		Commercial Target Market (1)		Data	
		Voice	Data	Voice	Data	Data Shared	Data Shared
Telstar	T						
EarthLink							
AT&T Broadband							
AT&T (DO)	CLEC						
Comcast	CLEC						
Verizon (DO)	CLEC						
AT&T Wind (2)	CLEC						
GOT (C)	CLEC						
SiComNet (D)	CLEC						
Level 3 (B)	CLEC						
Verizon Wireless (C)	CLEC						
Uniplanet 4 Fiber (2)	CLEC						
Intermedia (C)	CLEC						
Intermedia (D)	CLEC						
Pacific Bell	CLEC						
AT&T/CLEC	CLEC						
TCA	CLEC						
Telepheric (DO/DO)	CLEC						
Telcent	CLEC						
Wistar	CLEC						

(1) These locations refer to the target markets of the carriers. It is possible that a consumer from one DO/DO will be able to purchase the service offered at another. For example, a residential might purchase the high speed data service offered to the home from Telepheric, but it would be an unusual occurrence and most of the target market of the carrier at that particular provider restrictions are included in the test site report. Some of the locations are based on AT&T's report to the state service and are not confirmed by the carriers.

(2) AT&T Digital Circuits refer to circuits offering analog, ISDN, 56 K Frame Relay, ISDN (115,200 Kbps) or higher.

(3) These carriers are limited by their network's reach and where they connect their networks to other local telephone services in their target markets when connecting other services to their carriers' local telephone in an effort to broaden their local telephone subscriber base.

(4) Non-AT&T's listed carriers, who do not own or control the majority share component of their networks.

Exhibit Table B

San Francisco

		Residential Target Market (1)						Video Entertainment			
		Voice		Data		ISP		(in Kilobytes)		CATV	
		POTS	Net/Voice	Data Speed	DialUp	ISP	ISDN	GEO/Sat	DSL	Cable Modem	DBS
At&T/TCG (2)	CLEC	T				T					T
DirectV/Etal (GEO/Sat)	DBS					T					
IG/Netcom (2)	CLEC										
MCI/WorldCom (2)	CLEC										
Pacific Bell	LEC	T		56.6		T					
RCN	OVS/CLEC	F	F	F		F					
TCI	CATV					F					F

(1) These notations refer to the target markets of the carriers. It is possible that a consumer from one group will be able to purchase the service targeted at another. For example a resident might purchase the high speed data service delivered to the home from Teledesic, but it would be an unusual occurrence and not part of the target market of the carrier. More precise product descriptions are included in the text of this report. Some of these notations are based on MCG's expectations for future service and are not confirmed by the carriers.

(2) These carriers are limited by their network routing, and have not constructed their networks to deliver virtual universal service in their target markets. When comparing their services with other carriers, route locations are an important consideration to potential customer.

San Francisco

Today = T Future = F Number indicates Data Speed	Commercial Target Market (1)						Data (in Kilobyles (2))						
	Voice Single Bus. Lines	Centrex	Private Lin.	Switched Access	ISDN	Voice	Data Speed Dialup	ISP	ISDN	Full Digital Circuits	DBS	DSL	Cable Modem
AT&T/TCG (3)	CLEC	T	T	T	T	T	T	T	T	128 to 1544			
Covad (4)	CLEC												
DirectTV/Erat (GEO/Sat)	DBS												
ELI (3)	CLEC	T	T	T	T	T	T	T	T				
FirstNet/World (3)	CLEC	T	T	T	T	T	T	F	T				
GST (3)	CLEC	T	T	T	T	T	T	T	T				
ICG/Netcom (3)	CLEC	T	T	T	T	T	T	T	T				
Level 3 (3)	CLEC	T	T	T	T	T	T	T	T				
MCN/WorlCom (3)	CLEC												
Netmedia/Fiber (3)	CLEC												
NextLink (3)	CLEC												
Northpoint (4)	LEC	T	T	T	T	T	T	T	T				
Pacific Bell	OVSCLEC												
RCN	CATV												
TCI	CLEC												
Teledisic (LEO/Sat)	CLECWIRELESS	T	T	F	F	F	F	F	F				
Teligent	CLECWIRELESS	T	T	T	T	T	T	T	T				
WinStar													

(1) These notations refer to the target markets of the carriers. It is possible that a consumer from one group will be able to purchase the service targeted at another. For example, a resident might purchase the high speed data service delivered to the home from Teledisic, but it would be an unusual occurrence and not part of the target market of the carrier. More precise product descriptions are included in the text of this report. Some of these notations are based on MCNs' expectations for future service and are not confirmed by the carriers.

(2) Full Digital Circuits refer to circuit clearings ranging from 56 K Frame Relay to OC3 (155,000 Kops) or higher.

(3) These carriers are limited by their network routing, and have not constructed their networks to deliver virtual universal service in their target markets. When comparing their services with other carriers, route locations are an important consideration to potential customer.

(4) Non-facilities based carriers, who do not own or control the outside plant, component of their networks.

EXHIBIT NO. 3

Exhibit 3

Competitive Telecommunications Services and Costs Available to the Local Market Outside The Financial District

The following tables show competition available to small businesses and homes in San Francisco that are not passed by the CLEC networks. MCG has taken this data from published materials when available, but has applied its own estimates when not available or when the service is not yet offered.

High speed data is the only competitive telecom service available to businesses in this category. Voice is not competitively offered in San Francisco beyond the Financial District. Until telephony is deployed by the local cable operator, or a company like RCN enters the market place, voice will not be a competitive service in most of San Francisco.

High speed data is available today to most parts of San Francisco through DSL and satellite delivery. DSL is competitively offered by PacBell and ISP's who partner with Covad and Northpoint. MCI WorldCom, ICG and other facilities-based carriers have announced plans to resell DSL as well. DirecTV offers its DBS high speed data service via satellite at rates and performance competitive with the DSL providers. Remembering that, with the exception of DirecTV, all these competitors are utilizing PacBell's network, it is still accurate to say that some level of competition has come to the San Francisco market place in the area of high speed data.

Exhibit Table D notes that WinStar and Teligent can also sell data services to small businesses. Their offerings are not quite comparable because they: are priced against distance sensitive T1 service; have high installation costs; and, many parts of San Francisco will not have line-of-sight to the transmit locations. While not comparable today, these carriers may become competitive in the future.

Exhibit Table E shows the availability of competitive data service to residential customers in San Francisco. Today there is no competitive wireline data service to the home. PacBell is the only game in town at 384 kbps or faster. If a resident has access to a roof top, DirecTV's satellite service is priced competitively but only if the user can limit the number of on-line hours. DirecTV's flat rate changes to an hourly rate after 25 hours per month. If a resident requires faster than 384 kbps, PacBell has no competition today. Presumably, TCI will provide cable modem service after it rebuilds its cable system.

Exhibit Table E also notes the service that TCI and RCN might bring to San Francisco. Their service prospects are discussed at length in the Interview Summary Section of this report. Exhibit Table F compares the competitive multi-channel carriers in San Francisco. Today, TCI competes with DBS providers carrying essentially the same programs. However, the delivery systems are extremely different: TCI by fiber optic and coaxial cable; and DBS by satellite to the home. We have attempted to show a price comparison in Table C. However, their packages are designed to be as different as the programs are similar. DBS carries more channels, but many are premium and pay-per-view. Further, DBS does not offer local off-air and access channels. These are packaged in TCI's basic service making the comparison less obvious. As DBS equipment prices decline and are included in the bundled monthly price, the service prices will become more comparable.

San Francisco**Exhibit Table D****SMALL BUSINESS DATA OPTIONS**

Today = T	
Future = F	
Number indicates Data Speed	

SERVICE PROVIDER	TYPE OF PROVIDER	DELIVERY PLATFORM	WHEN AVAILABLE	OWNER OF TRANSPORT NETWORK IN S.F.	DOWN STREAM SPEEDS	MONTHLY COST	COST (1) PER KBPS	START-UP COSTS
Covad	CLEC	DSL	T	Pacific Bell	128 to 1544	\$ 125	\$ 0.33	\$550 to \$1000
DirecPC	DBS	GEO/Sat	T	Self	384	\$ 30	(2)	\$ 0.08
MCI/WorldCom	CLEC	DSL	F	Pacific Bell	128 to 1544	\$ 750	\$ 1.95	\$500 TO \$1000
Northpoint	CLEC	DSL	T	Pacific Bell	128 to 1544	\$ 199	\$ 0.52	\$500 TO \$1000
Pacific Bell	LEC	DSL (3)	T	Self	128 to 1544	\$ 199	\$ 0.52	\$125
RCN	OVS/CLEC	Cable Modem	F	Self	1544 +	\$ 45	\$ 0.12	\$50 TO \$200
TCI	CABLE	Cable Modem	F	Self	1544 +	\$ 50	\$ 0.13	\$50 TO \$200
WinStar and Teligent	CLEC	Wireless	T	Self	1544 +	N/A	(4)	N/A \$4000 plus

(1) Applies the cost of 384 Kbps as the standard of measure
 (2) DirecPC charges only \$30 per month for the first 25 hours, but \$1.99 per hour thereafter
 (3) PacBell offers a wide range of data services to small business, but DSL is used here for comparison purposes.
 (4) WinStar and Teligent are shown here to remind the reader that if the target business is within line-of-sight of the carriers transmitter, wireless service is possible. Comparable services are now priced against T1 rates and are distant sensitive, making this cost comparison unfair. The estimate of start-up cost is based on a LMDS offering.

San Francisco

Exhibit Table E

RESIDENTIAL HIGH SPEED DATA OPTIONS

Today = T
Future = F
Number Indicates Data Speed

SERVICE PROVIDER	TYPE OF PROVIDER	DELIVERY PLATFORM	WHEN AVAILABLE	OWNER OF TRANSPORT NETWORK IN S.F.	DOWN STREAM SPEEDS	MONTHLY COST	COST (1) PER KBPS	START-UP COSTS
DirecPC	DBS	GEO/Sat	T	Self	384	\$ 30	\$ (2)	\$ 0.08
MCN/WorldCom	CLEC	DSL	F	Pacific Bell	128 to 1544	\$ 50	\$ 0.13	\$300 TO \$400
Pacific Bell	LEC	DSL	T	Self	128 to 1544	\$ 89	\$ 0.23	\$100 to \$300
RCN	OVS/CLEC	Cable Modem	F	Self	1544 +	\$ 45	\$ 0.12	\$125
TCI	CABLE	Cable Modem	F	Self	1544 +	\$ 50	\$ 0.13	\$50 TO \$200

(1) Applies the cost of 384 Kbps as the standard of measure

(2) DirecPC charges only \$30 per month for the first 25 hours, but \$1.99 per hour thereafter

San Francisco

Exhibit Table F

RESIDENTIAL MULTI-CHANNEL VIDEO OPTIONS

Today = T
Future = F
Number Indicates Data Speed

SERVICE PROVIDER	TYPE OF PROVIDER	DELIVERY PLATFORM	WHEN AVAILABLE	OWNER OF TRANSPORT NETWORK IN S.F.	NUMBER OF BASIC CHANNELS		COMPARABLE PACKAGE MONTHLY COST (2)
					GEO/Sat	HFC Network	
DirectTV et al (1)	DBS	GEO/Sat	T	Self	100+	\$ 20	
RCN	OVS/CLEC	HFC Network	F	Self	91	\$ 22	
TCI	CABLE	HFC Network	T	Self	73	\$ 27	

(1) DirectTV is chosen as a representative of the DBS carriers, DirectTV, EchoStar and PrimeStar. They have similar price and channel offerings, with major differences in the purchase versus rental of the equipment.

(2) The carriers offer multiple packages. These prices are for a comparable package of 40 channels. However, an additional 13 channels of local off-air are also carried by TCI and possibly by RCN for the same price. Local off-air and access are not carried by DBS.

EXHIBIT NO. 4

GLOSSARY

Set forth below are some terms that are used in the report. The definitions have been crafted in an attempt to make the concepts clear to a non-engineer and are thus not as detailed as an engineering definition.

ADSL	Asymmetrical Digital Subscriber Line. A specially conditioned pair of copper telephone lines that can deliver high-speed data services over a distance of about three miles.
ATM	Asynchronous Transfer Mode. A method of transmitting voice, video, and data over a single, digital fiber optic path. An ATM switch will take various digital input sources and send each to its assigned destination along the network where a similar switch will re-assemble the information in its native format.
Bandwidth	a term used by engineers to indicate the amount of frequency spectrum that a radio or wire can carry. Many engineers draw an analogy between the volume of water carried by a pipe and the bandwidth of a cable.
BBS	computer bulletin board. Accessed by a computer and a modem, a BBS is a series of menu screens that leads the caller into a file area, a "chat" area, etc. Small BBS's appeared two decades ago and were, in many ways, precursors to the Internet.
By-pass	a service offered by a competitive access providers (CAP's) to long distance users. A CAP will use its own wires or fiber to connect a heavy user of long distance services to its long distance company of choice. Since the call never touches the local telephone network, the fees that would have been charged by the local phone company are saved and shared by the user, the CAP and the long distance company.
Carrier Hotel	a shared facility where CLEC's locate their network equipment. By sharing a location, the CLEC's save money in many ways including security and environmental conditioning. By co-locating, the CLEC's also make it easier to traffic from one network to another.
CLEC	competitive local exchange carrier. A relatively new telephone company that competes with the LEC for business customers' voice and data services. CLEC's can be facilities-based, i.e., the company buys portions of the LEC network at wholesale and sells

	it at retail (at a price slightly below the LEC's retail prices). In fact, most facility-based CLEC's also use portions of the LEC network to reach many of their customers.
CPE	Consumer Premises Equipment. The equipment located in a residential user's house. Examples include data modems, cable television set top converters and telephones.
DBS	Direct Broadcast Satellite. The DBS satellites operate from orbits just over 22,000 miles directly above the equator and provide video services to paying customers who use very small dishes to receive the signal. The Services offered by the DBS operators are very similar to cable television services and are priced on a monthly basis at about the same level. DirecTV, EchoStar and Primestar are currently the largest DBS companies in the United States.
DSL	digital subscriber line. ADSL is one type of digital subscriber line. Other types include symmetrical circuits, where the data throughput is the same in both directions.
Ethernet	a transmission protocol for sending information between networked computers. Today, Ethernet comes in a fast version (10 million bits per second, or Mbps) and a faster version (100 million bits per second, or 100 Mbps). An even faster version is under development.
IXC	inter-exchange carrier. A long distance company like AT&T, MCI or Sprint. Sometimes called an IEC.
LEC	local exchange carrier. One of the original local telephone companies, like PacBell or Bell Atlantic. Most LEC's are owned by RBOC's, but some, like GTE, are not.
Local Loop	telephone jargon which refers generally to that portion of the public switched network between the local central office and the residential or business customer. This phrase can also be used loosely to refer to local telephone service in general.
LMDS	Low Power Multi-Point Distribution Service. A omni-directional microwave service that is used to deliver voice and/or data channels to subscribers, much like the local loop.
Number Portability	the ability of a telephone customer to retain a phone number when moving from one phone company to another.

OC-3	designation for a circuit carried on optical fiber. The number designates the relative speed of the circuit. OC-3 is an optical circuit that can carry traffic at 155 Mbps. The fastest optical circuit in practical use today is OC-48, which can carry traffic at 2.5 Gbps.
Packet Switch	an optical device located at a central location that receives digital packets of information from an incoming source and sends them along to its network destination, as directed by the encoding on each packet.
PBX	Private Branch Exchange. A PBX is essentially a computer which routes telephone calls within a business or business unit. It connects to the local telephone company central office by trunk lines, receives all calls directed to the business and routes them to the correct phone. A PBX also provides features like call waiting, call forwarding, etc. Centrex services are essentially provided by PBX-type software located at the local central office.
POTS	Plain Old Telephone Service. This is telephone jargon to describe "plain vanilla" voice telephone service.
RBOC	regional Bell operating company. One of the original Bell operating companies formed by AT&T when it controlled virtually all the telephone service in the U.S. Originally, the seven RBOC's were Nynex, Bell Atlantic, Bell South, Ameritech, U.S. West, Southwestern Bell (SBC), and Pacific Bell.
Switched Circuit	a traditional telephone switch is a device located at a telephone company's central office that is used to connect one telephone line to another for the duration of a call. A switched circuit is the connection itself, made by the switch.
Tariff	charges for telecommunications service that are approved by the California Public Utilities Commission.
T1	A telephone acronym for a circuit that has been conditioned to carry 1.544 Mbps, or 24 digital voice grade circuits of 64 kb/s. This circuit can be carried over twisted copper wire or over fiber optic cable.

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12/21/98

**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

**MONDAY, DECEMBER 21, 1998
THE WAR MEMORIAL BUILDING
401 VAN NESS AVENUE
ROOM 410**

**REGULAR MEETING
5:30 P.M.**

DOCUMENTS DEPT.

JAN 20 1999

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COMMISSIONERS

**E. David Ellington, President
Ernest Jackson, Vice President
Bonnie Engel
John Lira
Jan Masaoka**

**Julia M. C. Friedlander
ACTING DIRECTOR, DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES**

ORDER OF BUSINESS

1. Call to Order and Roll Call

The meeting was called to order by President E. David Ellington at 5:45 P.M.

Present: E. David Ellington, President
 Ernest Jackson, Vice President
 Bonnie Engel, Commissioner
 John Lira, Commissioner

Excused Absence:
 Jan Masaoka, Commissioner

Motion to change order of agenda for this item and all following items on the original agenda.

Unanimous vote by Commission to change order of agenda.

6. New Business

Closed Session

Conference with City Attorney – Litigation

[Convene in Closed Session]

Motion that the Telecommunications Commission convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney as permitted by Government Code Section 54956.9 (a) regarding the following litigation:

[Potential Litigation]

Potential litigation as plaintiff regarding the merger of TCI and AT&T, as permitted by Government Code Section 54956.9(c).

Unanimous vote by the Commission to convene in closed session.

[The Commission reconvened in open session]

President Ellington requested the Deputy City Attorney to identify the subjects discussed in the closed session.

Deputy City Attorney Christine Ferrari reported that no action was taken.

[Elect Not to Disclose]

Motion that the Commission finds that it is in the best interest of the public that the Commission elect at this time not to disclose its closed session deliberations concerning the above matter.

Unanimous vote by the Commission to not disclose closed session deliberations to the public.

- **Public Testimony**

None.

2. Approval of the Minutes of November 16, 1998

Commissioner John Lira asked that the attributing of statements to himself be changed to the correct party of President Ellington in the following areas: page five, under Comment, paragraph one; page six, under Comment, paragraph two and three; and page seven, under the second Comment, paragraph three. Commissioner Engel asked that on page six, under Comment, paragraph one, that the last line be changed to replace "service" with "digital." The changes and minutes of November 16, 1998, were moved, seconded and adopted unanimously.

3. Communications

President Ellington referred to attachment to the agenda and acknowledged receipt of the proposal delivered by Ron Bermudez on behalf of LOUTH, prepared by Brian Lay. Vice President Jackson reminded the Commission that the Commission Secretary would now place news articles on the new Telecommunications Commission Web site in lieu of mailing hard copies. President Ellington asked for the address for the site:

www.ci.sf.ca.us/telecommunications_commission

- **Public Testimony**

None.

4. Director's Report

Acting Director Julia Friedlander relayed some of the department's accomplishments on key priority projects since the last Commission meeting.

- Network Facilities Division and Network Engineering Division staff, during the power outage on December 8, 1998, monitored the status of the City's telephone and radio services. In almost all cases, the City's radio, telephone and public safety wire communications were not interrupted. Due to regular testing by DTIS staff, the

Central Radio Station, which transmits all emergency dispatch messages for all police and fire departments, functioned during the outage without incident.

- Network Engineering Division staff supported the MIS managers of several City departments to ensure a smooth transition for those departments relocating to City Hall.
- Applications Development Division staff, Rod Loucks and Ron Hass, supported the COIT subcommittee investigating citywide Year 2000 (Y2K) readiness efforts, by preparing the proposal for the creation of a citywide Project Management Office.
- The Applications Development Division completed Y2K remediation, on schedule and on budget, for the membership administration and benefit payments programs at the City's Health Services System, which processes all health insurance claims for the City's 25,000 employees.
- DTIS received approval and funding to:
 - Replace failing LAN servers that support DTIS employees at 875 Stevenson and One Market Plaza;
 - Replace 60 of the most outdated workstations used by DTIS employees;
 - Replace older versions of Microsoft Office with Y2K compliant Office '97 for 195 DTIS employees; and
 - Replace the server and 24 workstations in the Technology Training Center, the classroom facility in which the Applications Development Division trains other City employees on commonly used applications.
- The Applications Development Division deployed a constituent service tracking system that the division developed in a fifth City department. This application now helps the Mayor's Office, DPW, the PUC, the Department of Building Inspection, and the Department of Parking and Traffic monitor constituent complaints and requests for service.
- The Applications Development Division implemented new Web sites for four City departments: the Public Guardian, the Veterans' Service Office, the Public Administrator and the Telecommunications Commission. A major redesign was completed on the Film Commission Web site to incorporate an interactive database identifying locations throughout the City at which film shoots are in progress.

- **Comment**

Vice President Jackson stated that he was very happy to hear about the Y2K project and support from the Mayor's office, and that the Commission will be glad to work along with the project. He commended Ms. Friedlander on her report, and asked in the future that the Director's report be reflected in more detail on the agenda. Ms. Friedlander and Deputy Director Denise Brady responded that the request would be fulfilled at next month's meeting.

- Public Comment

None.

5. OLD BUSINESS

A. Telecommunications Plan

The Commission suggested and unanimously agreed to take the following items #1: Monthly Progress Report and #2: MCG: Discussion of Carrier's Report, in reverse order.

2. MCG: Discussion of Carrier's Report (Attachment A)

Ms. Friedlander briefly reviewed six key findings of the Media Connections Group's (MCG) report *A Survey of Telecommunications Companies Doing Business in San Francisco*.

1. Many new companies are building networks to provide local telephone and high-speed data services to medium and large business customers in the financial district and South of Market sections, the "competition center," of the City.
2. Small and medium business customers outside the competition center face few service options for local telephone service or high-speed data services. However, new wireless services may expand their options for high-speed data services in the near future.
3. Pacific Bell faces no meaningful competition for provision of local telephone service or high-speed data service to residential subscribers at this time. TCI faces very little competition in the provision of multichannel video services to residential subscribers.
4. Two developments may significantly change the availability of competitive services to residential customers: the TCI/AT&T merger may provide the capital for the company to rebuild the San Francisco cable system, so that it can provide voice and data services in competition with Pacific Bell throughout the City; and a new company, RCN, may build a network that will provide voice, video and data services, in competition with PacBell and TCI, to residential customers in some areas of the City.
5. MCG does not believe that wireless high-speed data services will substitute for wireline services in areas where concentrated demand can be reached by fiber networks; rather, wireless high-speed data services will dominate outside the geographic reach of fiber networks.
6. MCG does not expect Internet telephony to have a significant impact on the market for local voice services in San Francisco over the next three years.

Mr. Dave Rozzelle, MCG, presented a summary of the report (Attachment A.)

- **Comment**

Vice President Jackson asked if DSL (Digital Subscriber Line) is more cost efficient than ISDN (Integrated Services Digital Network.) Mr. Rozzelle stated that in the home environment, DSL would be preferred because it has no time charges (ISDN does.) In Mr. Rozzelle's opinion, ISDN has not been a very successful service; DSL has the potential to be very successful. President Ellington asked why this is the case. Mr. Rozzelle responded that DSL was fostered in a technical environment, which maximized the use of the existing telephone plant, and was designed for a competitive environment.

President Ellington asked Mr. Rozzelle about the process of gathering the data and how receptive the companies were in response to MCG. Mr. Rozzelle informed the Commission that MCG has long-term relationships with many of the interviewed companies. The companies were aware who MCG's client was and that the information would be made public. President Ellington suggested that the public and the Commission take the report with some reservations due to the fact that companies would not be entirely forthcoming with what is proprietary information. Mr. Liebst stated that he felt that the companies were very forthcoming, due to the fact that new companies want to satisfy the new market, while "incumbents" want to make what is sometimes a confusing industry clearer for consumers.

Commissioner Engel commended MCG for an excellent report but stated that she would like to see a report that would provide guidance to the Commission on how best to proceed with the information in the report. Mr. Liebst replied that the sole purpose of the report was to prepare information on the provider, supply-side of the industry. Commissioner Ellington asked Ms. Friedlander when they can expect the type of report that Commissioner Engel asked about; Ms. Friedlander replied in the spring. Commissioner Ellington asked if they should fund a telecommunications education for the citizens of San Francisco. Ms. Friedlander informed the Commission that education might be a policy outcome of the Telecommunications Plan. Commissioner Engel asked for an addendum to the MCG report on the regulatory authorities over these companies. Ms. Friedlander assured the Commission that the information would be addressed in one of the later questions.

1. Monthly Progress Report

Ms. Brady reported on the development of the Telecommunications Plan, including the Cities of the Future Conference, the MCG report, and community research.

- On December 10 and 11, the Telecommunications Commissioners, DTIS staff and interested parties participated in the "Cities of the Future" conference in San Francisco.

- To address question #2 of the Telecommunications Plan, "What is the state of the telecommunications market in San Francisco today and how is it likely to change over the next three years?", carriers with a presence in San Francisco were identified and interviewed. A copy of the report, conducted by (MCG) can be found on the Telecommunications Web site at www.ci.sf.ca.us/telecommunications_commission or for hard copy review at the City's Main Library.
- To address question #3 of the Telecommunications Plan, "What are the current and anticipated needs of San Francisco's business and residential telecommunications consumers, including the City itself, and to what extent are the services available in today's market meeting these needs?" a series of questions have been formulated and are included in the Controller's 1999 Citizen Survey, to be mailed to approximately 4,700 San Francisco residents.
- In addition, several consultants, skilled in conducting community telephone surveys, have submitted proposals for consideration. A final selection will be made by December 23, 1998.

- **Comment**

In response to President Ellington's question regarding the usefulness of the conference to DTIS, Ms. Friedlander replied that while the City of the Future's Conference may have been useful for the purposes planned by its organizers, it was not as useful *specifically* to DTIS in helping to answer questions from the first part of the Telecommunications Plan.

- **Public Testimony**

- Ms. Sybil Boutilier remarked that MCG's report was excellent and encouraged the Commission and DTIS to develop a program for the public that explains these telecommunications options and their differences. She suggested developing public service announcements through the government channel, and then approaching broadcast channels to show them. The announcements would inform the public that there is an opportunity to participate in the process of the telecommunications plan by taking part in the upcoming surveys. President Ellington stated that those were excellent suggestions and asked how they could be implemented. Ms. Brady said that DTIS would look into how they might be accomplished. President Ellington requested that the public marketing be discussed in the future at the same time as public education is further reviewed.

B. Year 2000 Resolution (Attachment B)

ENDORsing THE COMMITTEE ON INFORMATION TECHNOLOGY (COIT)
PROPOSAL TO CREATE A YEAR 2000 PROJECT MANAGEMENT OFFICE AND
URGING THE BOARD OF SUPERVISORS TO APPROVE OF THE FUNDING
REQUIRED FOR THE IMPLEMENTATION OF THE YEAR 2000 PROJECT
MANAGEMENT OFFICE.

Comment

Ms. Friedlander referred the Commissioners to the draft report on Y2K, which contains a proposal for the development of a Y2K Project Management Office (PMO.) Ms. Friedlander relayed that the Mayor has conveyed to each City department head that they are responsible for ensuring that their services to the public will be uninterrupted by the Y2K problem and that the PMO was not to assume responsibility for the City's departments' Y2K compliance issues. However, the PMO will act as a central resource for City departments.

In meeting with various City departments, the COIT Y2K Assessment Subcommittee has found that while many have made a significant effort to ready their information technology systems, there is a great need for a project management office to help with specific issues, such as embedded chips and City vendor compliance. The purpose of the Y2K office is to act as a centralized research, legal and public information support team for all City departments. Ms. Friedlander stated that a \$1 million budget has been created for the remainder of this fiscal year. It is her expectation that the Board of Supervisors will act on this recommendation in early January 1999. She requested that the Telecommunications Commission give its support and recommendation to the Board of Supervisors for the budget and the creation of this office and the proposed budget.

President Ellington acknowledged Vice President Jackson as instrumental in his early recognition of a need for a Y2K office. Further, he was pleased that COIT has created this office and that the Mayor and the Board of Supervisors are supporting the project. President Ellington stated that the purpose of this resolution was to let the Mayor, the Board of Supervisors and the public know that the Telecommunications Commission was taking the Y2K issue very seriously. Commissioner Engel thanked both Vice President Jackson and Ms. Friedlander for their efforts in the creation of this office.

Commissioner Engel asked if there would be new people hired for this project. Commissioner Lira asked about the time that it would take to implement the project and what will become of the group following the year 2000. Ms. Friedlander replied that the people on the project would be a combination of consultant resources and City employees. The project will be started immediately with current funding within the department and it is her hope that the Board of Supervisors will approve the funding in order to let the project flourish.

The intention is for the project group to disband shortly after the year 2000. Vice President Jackson stated that this would most likely be a scaled down office, which will ensure that any remaining issues are addressed. He was pleased by the creation of this office and expressed his personal belief that if the budget is approved, this office would be adequately funded. Vice President Jackson also stated that he would like to contribute his ideas to the organization of the office and participate in the reporting process of the departments. Ms. Friedlander thanked the Commissioner and welcomed his input.

- **Public Testimony**

None.

- **Resolution**

Resolution was moved, seconded and approved unanimously.

C. 415 Area Code (Attachment C)

Ms. Brady read the Board of Supervisors Technology Committee, December 1, 1998, Resolution 994-98, *Opposing Any Telephone Number Area Code Relief Plan Which Splits The 415 Area Code Within San Francisco* (Attachment C.) Ms. Brady informed the Commissioners that she would send the Commissioners minutes from a public meeting in Hayward of the League of California Cities on November 23, 1998.

- **Comment**

Commissioner Lira asked that a letter acknowledging agreement with Resolution 994-98 be sent to the Board of Supervisors from the Telecommunications Commission. Ms. Brady stated that she would prepare the letter.

- **Public Testimony**

None.

D. Report from TCI regarding system rebuild plans throughout the Bay Area, including San Francisco and Fremont

Mr. Doug Schulz, TCI, presented a map of the Bay area of approximately 29 communities serviced by TCI. Of these, several communities have been upgraded to a 750-Megahertz, 77 channels, @Home capability and two-way capable system. These communities include Petaluma, Hillsborough, Foster City, Sunnyvale, Fremont, Alameda, the Tri-Valley (which includes Castro Valley, Dublin, Pleasanton, Livermore) area and Contra Costa County (which includes Pleasant Hill, Martinez, Concord, Pittsburgh, Antioch.)

12 additional communities are currently in the process of upgrade and include Marin County (almost complete), San Francisco (just starting), South San Francisco (almost complete), San Mateo, Mountain View, Cupertino, Santa Clara, Milpitas, Hayward, San Leandro, Richmond, Pinole, Oakland (just starting) and Berkeley.

There are approximately ten communities that have not yet been announced for upgrades, and include Union City, Hillsborough, Monterey, Newark and San Jose, but TCI's intention is to upgrade all systems to handle telephony, data and video products.

There are approximately 13 communities that currently offer @Home, TCI's high-speed data Internet access service. This system requires a two-way capable active plant. The communities include Petaluma, San Mateo, Sunnyvale, Milpitas, Hayward, Fremont, Alameda, Tri-Valley, Pinole, and Contra Costa County.

Commissioner Engel asked if the upgrades meant that they were reinstalling wires in the ground. Mr. Schulz stated that was part of the upgrade, but most of the cable designs involved fiber down to the node, then coaxial from the node to the home and using the existing plant. Commissioner Engel asked if they had used any fiber optic to the homes on any of the upgrade; Mr. Schulz was not aware of any.

Mr. Schulz discussed the upgrade plan for San Francisco, divided into five areas. He stated that TCI has already "walked out" one area, which represents approximately 69,000 customers. Mr. Schultz informed the Commission that Bernal Heights had already been completed. Further work was prevented when the upgrade was suspended two years ago, due to funding issues and the possibility of being able to provide customers with a digital option. Bernal Heights' system is 750 MHz gear and active, but channels have not yet been added to this system because it wasn't a large enough market when the rebuild was suspended. Mr. Schultz stated that it could be turned on very quickly.

TCI is continuing its "walking out" the City. They have hub one and approximately half of hub two. The buildings have also been built on hub one and hub two. The system has fiber that runs from Sutro Tower down to the hub site, which serves approximately 70,000 homes. Each node is broken down into four parts, which breaks down to approximately 300 to 400 homes per node. The "walking out" consists of TCI staff literally walking the City, counting how many units are in each apartment building and how many homes are connected to each telephone pole, thereby determining how much is sent out to the tap. This determines the correct signal for TCI to send and to make sure that there are no more than 1,200 customers on each node.

Depending on the time frame of the walk out, Mr. Schulz said that TCI will begin construction sometime between June and September, 1999, to upgrade the plant, running fiber lines down to the hub sites and running fiber to the different neighborhoods. TCI will determine the order of the hub sites after the completion of the walk out; Mr. Schulz said that this would in part be driven by the availability of real estate for the hub sites. Once a hub site has been obtained, then maps can be designed from that hub site. There are currently hub sites with buildings on Mission and on Folsom streets, a site but no building for the hub site in the Sunset, and no sites on the remaining two hubs.

- **Comment**

In response to President Ellington question, Mr. Schulz stated that the rebuild would take, by a conservative estimate, five years to complete. He stated that San Francisco is an extremely complex city in which to build, with more vertical buildings and apartment buildings than in the suburban market. In addition, TCI is considering using a higher megahertz than the 750 found in other markets. Vice President Jackson responded to

the stated five-year time frame by stating he believed using today's technology in tomorrow's market would be a waste to all parties concerned.

President Ellington inquired how many channels were going to be video on the new system and if open architecture Internet access would be provided. Mr. Schulz stated that the current 77 channel, 550-megahertz analog video would remain, with an additional possibility of 144 digital channels; TCI will offer in the range of 150 to 200 total video channels. Mr. Schulz stated that Internet access will be offered, but was not certain at this time if this would include other ISP servers other than TCI's @Home service.

Vice President Jackson asked how many PEG channels the City would be given; Mr. Schulz stated that he believed the franchise agreement called for six on the upgraded system. These would remain analog channels, because the current digital technology does not allow for anyone to insert on them locally.

President Ellington asked if the rates would go up with the rebuild. Mr. Schulz stated that TCI would continue to follow the FCC calculation for the rates, and that increased programming costs would continue to be passed along to the customer. Vice President Jackson expressed his concern about the pass-along costs and asked how TCI can justify these costs to the consumer. Mr. Schulz stated that he hoped that the customer was getting more value for the price adjustment and that he felt that TCI's current pricing was fair. He could not predict how in March 1999 TCI's pricing might change when the FCC no longer regulated basic pricing for cable service.

President Ellington and Mr. Schulz had a short discussion about competitive carrier options. President Ellington then stated his disappointment that while San Francisco sits in the midst of the telecommunications community, it is one of the least wired and less of a priority for TCI than other Bay area communities. Mr. Schulz stated that it would not take five years for the entire City to be upgraded; as hubs are completed, they will be turned on.

Vice President Jackson and President Ellington expressed their concerns and urged TCI to represent the City's concerns to AT&T that the City remains a priority for TCI. Mr. Schulz assured the Commission that these concerns are being relayed to AT&T through TCI. President Ellington stated that TCI must be aware of how the Commission is frustrated by the time-frame of this rebuild, and asked why the Commission cannot have a specific commitment on when the TCI hub buildings that currently exist will be turned on. Mr. Schulz responded that they would begin construction in June. Vice President Jackson asked if Bernal Heights could be turned on and if their rates would be affected. Mr. Schulz responded that yes, and that the cost would be based on what type of additional programming was provided to the neighborhood.

Vice President Jackson asked Sue Levitin, TCI, to respond to TCI's position that the Board of Supervisors does not have a say in the proposed merger of TCI/AT&T, even though the City views the merger as a change in cable ownership. Ms. Levitin responded that TCI believed that the language in the franchise agreement does not call for consent

to be given by the City because they do not see the merger as a change in the franchise holder. Although the new parent company will be AT&T, TCI will continue to hold the cable franchise. Vice President Jackson stated that after two years of working to make things better for the City, he wondered why TCI would not want to cooperate more with San Francisco and questioned why there was a seeming lack of good will on the part of TCI. He requested that the Commission go on record to state that they were not pleased with TCI's position with respect to the Board of Supervisors reviewing the merger. President Ellington reiterated this position.

- **Public Testimony**

Ms. Sybil Boutilier spoke about how future competition in the City's cable industry will most likely end up in lower prices to the consumer. Ms. Boutilier stated that while she was happy that TCI would upgrade fiber, the Commission needed to recognize that there are still some residential areas of the City that do not have any basic cable. She suggested that based on the current franchise agreement, certain benefits might be triggered for the City as TCI completes each neighborhood with the conduit upgrade.

President Ellington agreed that each point should be reviewed by DTIS. He thanked TCI for being so diligent in attending all of the Telecommunications Commission meetings.

7. Calendar Matters

- Update on the Telecommunications Plan
- Continued discussion on MCG's December, 98 report
- Report on the interim improvements on the public access channel

- Comment

President Ellington commended Ms. Friedlander and her staff for consistently delivering promised information and reports by the promised deadlines to the Commission. Ms. Friedlander commended Ms. Brady and MCG for the timely delivery of this month's report.

- **Public Testimony**

None.

8. Public Comment

None.

9. Adjournment

President E. David Ellington adjourned the meeting at approximately 9:17 P.M.

Respectfully submitted,



Kim B. Weisman
Commission Secretary

